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LORD BYRON.

TO whom or to what we should look for the origin of a great poet, whether to his ancestry, immediate or remote, or to the time in which he was born, is a question which is more easily asked than answered. Heredity may account for much, but it does not account for Dante, Shakespeare, Milton, who were without progenitors, and are without descendants. Nor are they to be accounted for by the periods in which they lived, and the circumstances by which those periods were distinguished—the wars of the Guelphs and Ghibellines, the indomitable national and the robust intellectual activity of the age of Elizabeth, or the life-and-death struggle between the King and the Commons. We are approaching the centenary of a great English poet, Lord Byron, whose life and work demand an answer to the question which they suggest, and which we shall try to furnish in this paper. We are more familiar with his life than with the life of any other English poet, great or small, and are as familiar with his work as with that of Milton or Shakespeare. It is as vital to-day as the day when it was written—as beautiful, as melancholy, as human. He was eclipsed, when he had passed away, by Wordsworth, as Milton was eclipsed by Dryden and Pope, and Shakespeare by Beaumont and Fletcher and the dramatists of the Restoration, but the name of none of these poets shone with such lustre in the seventh decade after his death as the name of Byron to-day. We read his contemporaries, Wordsworth, Shelley, Scott, and admire them for what they were, but not as we admire Byron, who, lacking many of their gifts, was yet their master by the divine right of his

genius, which was of a higher order than theirs, more active and more brilliant, more allied to tenderness and pathos, more provocative of the tears and the laughter of mankind.

The parentage of Lord Byron was distinguished rather than fortunate. The family came over with William the Conqueror, and figured at a later date in English history, at Calais, at Bosworth, and at Edgehill, where seven brothers of the name fought on the side of the King. His grandfather was known from a memorable shipwreck of which he was the hero ; his grand-uncle was known from his killing his neighbor and relative, Mr. Chaworth, in a scuffle, for which he stood his trial before the House of Peers ; and his father, Captain Byron, was known from his having carried off to the Continent the wife of Lord Carmarthen. After her death this profligate and improvident gentleman paid his addresses to a Scottish gentlewoman, Miss Catharine Gordon, only child and heiress of Gordon of Gight, who had royal and ducal blood in her veins. He married her for her possessions, which consisted of some ready money, wherewith she appeased his most importunate creditors, besides bank-stock, fisheries, and the like, as well as the estate, which was soon covered by a mortgage. In the summer after the marriage the Byrons proceeded to France, which then, as now, was a haven for families who had lived beyond their income in the British Isles, and in the following year the estate of Gight was sold, and the whole of the purchase-money applied to the payment of debts, with the exception of a small sum vested in trustees for the use of Mrs. Byron, who was reduced from competence to £150 per annum. At the close of the year this confiding gentlewoman returned alone to England, where, in Holles Street, London, on January 22, 1788, her son, George Gordon Byron, was born. He was born lame. Mrs. Byron made her way back to Scotland with him, and in his second year was residing in Aberdeen, when she was joined by her husband, from whom she was soon separated, though they occasionally took tea together. Back to France, and thence back to Aberdeen, went and came Captain Byron, whose chief object in following his wife to Scotland was to extract more money from her—an object in which he was partially successful, in that she enabled him to journey to Valenciennes, where, in 1791, he was considerate enough to die, and fortunate enough to be lamented by his wronged and disconsolate widow, who was so distracted when she heard the news of his death that her shouts could be heard in the street. Such was the parentage of Byron,

which was at once patrician and plebeian. Patrician on the part of his father, who seems to have had some winning qualities in spite of his extravagance and profligacy, but plebeian (in spite of her blood) on the part of his mother, whose mind and temper were alike ill-regulated, with whom gentle and savage words alternated, who fondled the boy one hour and flung the poker and tongs at him the next, without judgment or self-control, passionate, unreasoning, unmanageable. "Byron, your mother is a fool," remarked one of his schoolfellows. "I know it," he answered, gloomily.

The early days of Lord Byron resembled the early days of most English lads of his rank and time. He was sent to Harrow and to Cambridge, but at both those seats of learning he had the reputation of an idle boy who never would learn anything. His disposition, except when he was in one of his silent rages, was frank, generous, and affectionate, strong in his likes and dislikes, with an absolute genius for friendship. Averse from study, he was a great reader from boyhood, his favorite books being histories, travels, and biographies. He was conscious of his rank, though not offensively so, and could be haughty, though not with his inferiors. If he was conscious of the possession of talent his early letters do not reveal the fact, nor is it apparent in his first volume of verse, which he very properly christened *Hours of Idleness*. It is possible to read it once, though not with pleasure, and to pretend to read it a second time, if one has any theory to prove or disprove by it, but it has no poetic value, not even the questionable value of promise. That the writer had dabbled a little in the classics was evident from the translations; that he had read Little's poems was evident also; what was not evident was that there was a poet, even a minor poet, behind this mass of mediocrity. If such a book were to be published now—and hundreds that are quite as indifferent are published every year—no periodical like the *Edinburgh Review* would stoop to insult the insignificance of the author. As there was no literary reason why the volume should have been reviewed, and, presumably, no personal reason why it should have been reviewed savagely, the critic of the *Edinburgh*, whoever he was, undoubtedly went out of his way to do an act of unkindness. It was a safe thing to do, in that his victim was young, and was a lord, two causes of offence to his mischievous spirit, particularly the last, concerning which the budding author confided his hopes and fears to his readers, in the words of Doctor Johnson, "That when a man of rank appeared in the character of

an author, he deserved to have his merit handsomely allowed." We read a great deal respecting the effect of what Southey called the ungentle craft on the tender feelings of authors, and much that we read is sentimental nonsense. No author with the right stuff in him was ever seriously harmed by criticism, though it has discouraged many weaklings, and relegated them to the silence they should never have broken. Byron was not one of these weaklings, however indifferent his *Hours of Idleness* may have been, but a manly young fellow, who, if he was of a sensitive temperament, was of a proud nature, conscious of his rank, with a high temper when roused, and the combativeness that is natural to his race. A friend who saw him in his first moments of excitement after reading the article in the *Edinburgh*, asked him, Moore says, whether he had just received a challenge, not knowing how else to account for the fierce defiance of his looks. He *had* received a challenge, or what he construed as one, and he answered it in *English Bards and Scotch Reviewers*. This satire on contemporary poets and critics must have surprised Byron, who discovered while writing it that he possessed talent which was lacking in his *Hours of Idleness*, and which was an assurance of power, if not of poetry. It was a piece of angry work, which justified itself as a set-off to the indignity he had suffered, and which was at once jocular and brutal. He ran amuck in the world of letters, actuated by the rapture of the strife which, at Donnybrook Fair, takes the formula—Wherever you see a head—hit it! He hit right and left, at whoever was in his way, not so much from a desire to inflict pain, though he was not without that, perhaps, as from a desire to prove his prowess in this game of intellectual fisticuffs. His method of fighting was manly, however, as compared with that of Pope, who was as mean as he was malignant, or that of Gifford, who was cowardly enough to attack a woman. If we read Byron's satire now, it is not as we read the *Baviad* and the *Mæviad*, the *Dunciad*, and the scores of would-be satires that intervened, but as we read a hasty, petulant collection of versified personalities, which are clever and amusing in proportion to the scorn and rage with which they were written, and which, in spite of the immaturity displayed, is still the most effective, as it is the last, of modern English satires. Poetry, as we define it now—more narrowly than our ancestors did, and more narrowly than we should, it may be—this vigorous strain of vituperation is not. But Byron wrote poetry, nevertheless, just before and just after writing it, as students of the chronological order

of his verse are aware. We refer to the *Occasional Pieces* which precede and follow the satire in the collected edition of his works, of which some five or six are conceived and executed in the purest poetical spirit. Byron was a lyrist before he was a satirist, and a lyrist he remained at intervals until, a few months before his death, he wrote the noble and pathetic stanzas on his thirty-sixth birthday.

If it were our intention to trace the outward life of Byron we should be able to do so without difficulty, for no poet ever left so complete a record of himself as he has done in his letters. But such is not our intention. What we purpose to do is to trace his inner life, so far as we can discover it in his writings; the growth, the change, the development of his character and genius; in short, the intellectual career of the man and the poet. Inheritor of disorderly qualities and a disorderly estate, he was hampered from the beginning—so hampered that he must have been greater than he was to have led a cool, calm, sagacious, and wise life. Like the majority of young men of his time and station, he lived carelessly and irregularly, drinking more claret than was good for him, and letting too many bright eyes make a tinder-box of his heart. Weak he may have been—he was certainly whimsical and wilful—but wicked, in a moral sense, he was not, however much he may have pretended to be. There are natures which are wretched because they are restless, and Byron's was one. They are not uncommon among the English, who find, or fancy they find, an alleviation, if not a cure, for the complaint in foreign travel. Young gentlemen of the Elizabethan era went to Italy, where they learned many new vices; young gentlemen of the Victorian era come to America, where it is to be hoped they learn a few new virtues. Our restless young gentleman of the Georgian era went on a roving journey, following a spirit in his feet which led him to Spain, Portugal, Greece, and Turkey. It was a remarkable journey, both to the traveller and the world; to the traveller, because it revealed his genius, and to the world because it revealed another poet. He discovered himself during this immortal pilgrimage, but was so unconscious at the time that he returned in ignorance of the discovery. The author of *English Bards and Scotch Reviewers* was sure—if he was sure of anything—that satire was his forte, so while he was stopping at a convent in Athens he wrote two more satires. They were somewhat in the vein of his first, though rather more carefully polished, and one, *The Curse of Minerva*, was bitterly and

foolishly personal. He thought very highly of these trifles, but thought nothing of a sort of rambling journal in which he had scribbled descriptions of the countries he had visited and the impressions they had made upon him, with whatever else occurred to him, or was evolved from his personality at the moment of writing. That authors are sometimes mistaken in regard to their own productions, showing a deeper tenderness for, and a greater pride in, the rickety children of their imagination than for and in the robust creations of their genius, is an established fact in the history of letters. But no author with whom we are familiar was ever so mistaken about his own productions as Byron when he preferred his *Hints from Horace* to the first and second cantos of *Childe Harold*. He probably preferred the satire because it was written under the influence of Pope, for whose poetry he professed the greatest admiration. That he could believe he admired Pope and did not admire Shakespeare was one of the curious delusions and contradictions for which he was conspicuous. That he *did* admire Shakespeare, of whom he was a diligent reader, is evident from his letters, which are sown with Shakespearian quotations. The genesis of *Childe Harold* cannot be traced to any poet whom Byron is known to have read, or to any poet who is known to have written. There was nothing in English poetry which could have suggested it, even to his fertile mind, which was avid of suggestions. Why he was impelled to write it he could hardly have told himself, nor why he cast it in the stanza of Spenser, which was so seldom used as to be nearly obsolete. He seems to have had no definite intention when he began, for his beginning was uncertain and tentative, and his management of the measure he had chosen experimental rather than successful. But as he proceeded his cloudy intention became a clear purpose, and he grew bolder; he planted his feet firmly, like one who was sure of the path before him, and went on his way, singing of what he saw and felt and was—a deep, strong, loud, triumphal song. One has not to read far in *Childe Harold* before he perceives the genius of the writer, and that it rises to whatever height his subject demands. Beginning with a poetical portrait of himself, which is too darkly colored even for the shadowed background against which it is thrown, he soon forgets his egotism, and induces us to accompany him on his travels, dropping now and then a historical allusion or casting a political reflection, and all the while sketching the scenes through which we are passing. He possesses a surpassing power of

description, and reproduces, apparently without being aware of it, the spirit of what he sees. Ignorant of "word-painting," which so belittles our later verse, his pictures start into life after a few touches of his bold and vigorous pencil. He painted as Homer and Shakespeare did—broadly and largely. Only a poet with a vivid imagination like Byron's could have conceived the gigantic vision of War in the first canto, and only a great poet could have sung as he did in the second canto of *Greece and the Greeks*. He was the first of the coming race of *Philhellenes*.

Byron woke up one morning and found himself famous, for the publication of *Childe Harold* was the sudden making of a splendid name. He was praised by everybody, sought by everybody, and whirled along in the fashionable festivities and follies of the time. Lords, ladies, commoners, all were at his feet. That he should enjoy the social triumphs which were thrust upon him was but natural, when one considers his eager temperament, his proud nature, his hunger and thirst for distinction, and that he had only just completed his twenty-fourth year. If he had not been elated he would have been more or less than the man he was. But not all was elation with him, for while he was conscious of the comeliness of his person, his handsome, sensitive face and eloquent eyes, he was also conscious of his deformity, and often, while he was hobbling from one fair worshipper to another, he remembered the time when his mother called him a "lame brat." The Byron whom the world saw on his return from the East was not the Byron who had left England, for the two years which had passed in the interval had strengthened his powers, if they had not matured his character, and had cast over his life the shadow of a settled gloom. It was shortly after this period that he wrote the series of poems addressed to *Thyrza*, which are too genuine in their sadness and too sincere in their sorrow to have been addressed to any creation of his brain. There is a truth, a tenderness, a pathos about them which only the remembrance of an irreparable loss could have inspired. Byron was asked, several years after they were written, to whom they referred, and he refused to answer, with marks of deep agitation.

If *Childe Harold* was the revelation of a poet to the world, it was also the revelation of a poet to himself. It created in him the originality which was to distinguish him from all his contemporaries, and it opened to him a new world of song, old to its own singers and story-tellers, but new to the singers and story-tellers of Europe. It

made him free of the East. The books which he read earliest and remembered longest were histories of, and travels in, this romantic land. "Old Knolles," he said at Missolonghi, a few weeks before his death, "was one of the first books that gave me pleasure when a child, and I believe it had much influence on my future wishes to visit the Levant, and gave, perhaps, the Oriental coloring which is observed in my poetry." It was to the East that the early English dramatists went when they wanted to terrify the spectators of their tragedies with monstrosities of wickedness and scenes of ruin and carnage. It was to the East that the English essayists went when they wanted to point morals and adorn tales, and it was to the East (as they misunderstood it) that poets like Collins went when they wanted to write Persian eclogues. The East may be said to have had its dramatists, its moralists, and its pastoral versifiers in England, but poet it had none, and story-teller none, until Byron wrote *Childe Harold* and *The Giaour*. We find a predominance of the narrative element in the history of every European people who have bourgeoned into song. It appears first in the balladry wherein they commemorate the actions of their ancestors, the glory of their kings, the valor of their heroes, the beauty and the grace of their women. At a later period, when they become learned enough to clothe their lore in letters, and curious enough to enjoy the lore of others, the current of their song is swollen with affluents from alien lands and remoter days—from Italy, Greece, Rome,

" Or where the gorgeous East with richest hand
Showers on her kings barbaric pearl and gold."

What this multiform narrative verse is we may gather from the *Canterbury Tales*, which, as they were the first, are still the best of the kind that we have. Not that the telling of stories ceased with Chaucer, but that his contemporaries and followers were so dull and tedious as to deserve the oblivion which speedily overtook them. The beadroll of old English story-tellers ended with Chaucer, who was without a successor on the throne until the early years of the present century, when two claimants appeared—one, a painstaking, industrious, unimaginative scholar, who wrote a Welsh epic and a couple of wild and wondrous Oriental tales; the other, a frank and hearty Scotchman, whose profession was the law, whose pleasure was the reading of old books, and who improvised three or four metrical romances, wherein he restored to life the chivalry and the

beauty of the olden time, and flooded his rugged fatherland with a rich, poetic light. Southeby and Scott prepared the way for Byron.

Few poets could have borne the success of *Childe Harold* with so much good sense as Byron, who, avid of praise, and not insensible, perhaps, to flattery, was still master of himself and his genius. He was not harmed by his popularity, but stimulated by it to greater efforts. He would surpass *Childe Harold*, wherein he had merely handled the East as a painter might, delighted with its pictu-resqueness and splendor ; he would now go deeper, and depict its people—their impulsive lives, their stormy passions, fierce at once and fond, the intensity of their love, the barbaric bitterness of their hate. It was a new field, in which he would gather fresh laurels. The narrative element which succeeded the descriptive element in Byron's poetry, after the publication of *Childe Harold*, is worthy of more study than it received when the world was dazzled with it, or has received since the world has ceased to care for it. It is worthy of serious study, for only thereby can one detect the growth of his rhythmical talents and poetic intuitions, the ripening of his judgment, and the incessant activity of his mind. When he began to write *The Giaour* he was not used to the octosyllabic measure, which Scott had made so popular in his metrical romances, and which he in turn had instinctively adopted, and his first fingerings of the instrument betrayed his ignorance of its capacity. But he had not proceeded far before he possessed the secret of its sudden changes and rapid movements, and was borne along by their intermingling forces. What other poets were obliged to learn, he intuitively divined. Judged as a story *The Giaour* is defective, owing to the fragmentary form in which it was needlessly cast, and judged as a poem it is equally defective, owing to the want of proportion in its parts. Careless as the versification is, there are splendid passages in it, as in the description of the flight of the Giaour, and of the ambush into which Hassan and his troops were drawn ; and there is one tender and pathetic passage (" He who hath bent him o'er the dead ") which no other poet could have written then, and which no living poet could write now. *The Giaour* sustained the reputation of Byron among the class of critical readers who had so readily acknowledged the strength and splendor of *Childe Harold*, and increased it among the larger class of sympathetic readers, who, loving poetry for its own sake, loved it more for the sake of the stories it is sometimes moved to tell. It was a dark and melancholy story, woven of elements of

life and character which were alien and repulsive to the English mind, but which, nevertheless, possessed a singular fascination, so adroit was the weaver, and so potent the magic of his verse. There is a spell in the eastern stories of Byron, and it was felt by Byron himself as well as by his readers, for once the fit of inspiration was upon him he could no more resist writing than they could resist reading. *The Bride of Abydos*, which was published about six months after *The Giaour*, was the most poetical poem which Byron had yet conceived, suggesting a gentler aspect of manners than he had hitherto delineated, and containing his first pair of impassioned lovers, his Romeo and Juliet, who, like their Italian prototypes, loved with all the fervor of their young hearts, kindly, blindly, and to their own destruction. Heroes like Selim existed long before he appeared on the canvas of Byron, but never heroine like Zuleika, who, half girl, half woman, was all purity, all affection, all devotion, the romantic ideal of womanly tenderness and loveliness.

The fit of inspiration under which *The Bride of Abydos* was composed increased upon Byron, who, about a fortnight after the publication of that poem, began another eastern story, which he finished in thirteen days. *The Corsair* was woven out of the same dark elements as the earlier story, of which it was a kind of poetic metempsychosis, Conrad being an older Selim, and Medora a riper Zuleika. The influence of Pope's versification, which still exercised a spell over Byron, and which marred two sections of *The Bride of Abydos*, where it clumsily interrupted the octosyllabic flow of the narrative, was dominant throughout *The Corsair*, which was written in heroic couplets. There was a rhetorical force in them which made them seem more eloquent than they were, and which carried off their occasional platitudes bravely. They were as spirited in movement as the law that governs the heroic couplet would permit; they were picturesque in description and suggestion; and over all and through all there was a nameless charm which defied analysis—the sentiment, the feeling, which we call Poetry. The critics of Byron's time were divided in their opinions respecting the capacity of the heroic couplet. It remained to be proved (Jeffrey thought) whether this, the most ponderous and stately verse in our language, could be accommodated to the variations of a tale of passion and pity, and to all the breaks, starts, and transitions of an adventurous and dramatic narrative, and this (Jeffrey declared) Byron proved, with equal success and boldness, in *The Corsair*. But what this third story of

Byron's proved, and proved most triumphantly, was the rapidity with which his mind was maturing, in its grasp of character, its power of vivid presentation, and in the *prima stamina* of all narrative verse, fertility of invention. If Byron knew his own mind when he published *The Corsair* he purposed to publish nothing further until some years should be passed. He avowed this determination in his dedication to Moore, and in all sincerity, no doubt; but a circumstance in the history of the period soon compelled him to abandon it. This event was the abdication of Napoleon at Fontainebleau, the announcement of which roused the lyrical spirit within him the next morning, and hurried him along its fiery way until he had dashed off the *Ode to Napoleon Buonaparte*. Never before had his genius risen to such a height, or flown on such broad and ample pinions, and never before was the note of his personality so lost in the large music of his verse. He was the trumpet voice of his time. The glamour of the East still haunted him, however, and brooding over Conrad and Gulnare, the story of whose love was merely begun in *The Corsair*, he planned another poem, wherein the story of such a love, in another land, and at a later time, was darkly and mysteriously traced. *Lara* was thought inferior to *The Corsair* (why, except that it was apparently its sequel, it is not easy to see), the character of *Lara* being pronounced too laboriously finished. "What do the reviewers mean by 'elaborate'?" Byron asked, in one of his letters; "Lara I wrote while undressing, after coming home from balls and masquerades, in the year of revelry, 1814."

The summer and autumn of this year of revelry were propitious and disastrous to the life of Byron—propitious, in that they witnessed a new flowering of his genius in the *Hebrew Melodies*, and disastrous, in that they witnessed his engagement to Miss Milbanke. The *Hebrew Melodies* were not equal to the *Thyrza* poems, but they contained one lyric ("She walks in beauty, like the night"), the exquisite grace and purity of which defy description, they are so simple and yet so subtile; and another ("The Assyrian came down like a wolf on the fold"), in which the noblest flights of Campbell, the greatest of English lyrists, were easily surpassed.

Why did Byron propose to Miss Milbanke, and why did Miss Milbanke accept Byron? His temperament was not one which she could ever comprehend, or, comprehending, approve of; nor was it one which she could ever change. If her perceptions had been

keener and her self-confidence less, she might have divined these grim truths; but being what she was, an only daughter, carefully nurtured, straitlaced, proud, reserved, pedantic, deficient in humor, she had to learn them, and by the only method in which such persons ever learn such things—personal experience. She should have known that he was not the man whom she ought to marry, and he should have known that she was not the woman whom he ought to marry. If they had been left to themselves, it is not likely that either would have thought of the other, except as a pleasant friend. But they were not left to themselves; on the contrary, they were taken possession of by their friends, who persuaded them to marry. They meant well—most meddlers do—but they wrought ill; for, in the words of the musty old proverb, they made the match, and made a mess of it. The deluded couple were made one on January 2, 1815, at Seaham, the seat of Sir Ralph Milbanke, in the county of Durham.

" Night, with all thy stars, look down ;
Darkness, weep thy holiest dew ;
Never smiled the inconstant moon
On a pair so true."

If the year 1814 was a year of revelry, the year 1815 was a year of misery. We know more about the married life of Byron than the married life of any other English poet, but when all is said and done it is not much that we know. There are some experiences which gentlemen never divulge, and to which they never refer, even when most communicative, and marriage is instinctively understood to be one of them. If Lord Byron was disappointed in his wife, Lady Byron was, no doubt, disappointed in her husband, and neither was wholly to blame. A little philosophy might have been of service to both, but philosophy was the last thing to be expected from an impassioned poet and a young woman with a mathematical turn of mind. Furthermore, there was a scarcity of current coin in the exchequer of the poet. The property he inherited had been heavily encumbered by antecedent Byrons; he was dipped in debt, as the phrase was then; and he was supposed to have married a very rich heiress. His creditors, Jew and Gentile, came down upon him like the Assyrians in his *Hebrew Melodies*. His person was safe from the clutches of the law, he being a peer of the realm, but his goods and chattels were safe from nobody who had made advances to him in his hot, ungoverned youth. There were nine different executions in his house

during the first year of his married life. Productive of a large crop of troubles, the inevitable harvest of the wild oats which his ancestors had sown so plenteously, this miserable year was not wholly barren of poetry; for, desperate as his affairs were, and perhaps because they were desperate, Byron retired within himself, and, communing with his genius, which had been silent since his marriage, he wrote another eastern story, *The Siege of Corinth*, and the first of his Italian stories, *Parisina*. The imaginative power and pathos which distinguished these poems were as uncommon and admirable as the resolution which created them at this time. It is not given to every poet to rise above and live down misfortune and humiliation, but it was given to Byron, who may have lacked wisdom and patience, but who certainly possessed strength and determination. He needed both. For about the middle of January, 1816, while his last poems were passing through the press, his wife left him to pay a visit to her father's house, in Leicestershire, taking with her their infant daughter, Augusta Ada, who was some five or six weeks old. They parted in the utmost kindness; she wrote him a letter full of playfulness and affection on the road; but no sooner did she reach Kirkby Mallory than her father wrote to Byron that she would return to him no more. Why she left him, and why she refused to return to him, was a mystery then, and is a mystery now. But whatever the reason, obvious or occult, it is impossible to acquit her inscrutable ladyship of duplicity, and an unrelenting determination to punish her husband. If she had charged him with anything, he might have answered the charge; but she formulated nothing; no sins of omission or commission on his part, and no grievance on her own. She held her peace, leaving the world to imagine what her silence meant, and opening the door to every dark and horrible suggestion. But she gained her object, whatever it was, for a storm of indignation broke out against Byron, who was at once sacrificed on the altar of public virtue. If ever poet suffered deeply it was Byron at this time, when he described himself as standing alone on his hearth, with his household gods shivered around him. It was the crisis of his fate, and he bore it well, upheld by his haughty spirit and his splendid genius. He had conquered the world with his poetry four years before, and, however the world might revile him now, he was still the most famous of living poets. The tenderness and the scorn which contended within him wreaked themselves in verse about two months after his lady had deserted him. He

paid his respects to her in a monody ("Fare thee well! and if forever"), and his disrespects to her Abigail, of whom he dashed off a sketch ("Born in the garret, in the kitchen bred"), attributing to her a part of his domestic difficulties. The newspapers of the period gave these poems the benefit of their limited circulation, and furnished his enemies another opportunity to attack him.

Byron was at war with the world, and the world was too strong for him, as it always is for any one man. He might have maintained the fight longer than he did, but where was the use of fighting longer when the field was lost? England had declared against him, and there was nothing left but to leave England. So, to save himself from banishment, he went into exile. He sailed for Ostend on April 25, 1816, intending to travel in Switzerland, Flanders, Italy, and, perhaps, France. He was not the Byron who had sailed for the East about seven years before (July 2, 1809), but a man whom death had saddened, marriage maddened, and his countrymen enthroned and dethroned. A wayward soul, whose wisdom was wholly of the dark things of life, he was bruised, but not broken; for the strife through which he had passed had armed him with stronger powers of resistance. It had driven him back upon himself, upon the might of his genius, which was henceforth to be his sole dependence and sole consolation. A cloud was lifted from him as the shores of England sank below the waters, and the wings of his song arose above them. They were ampler pinions than those which had borne Childe Harold through the first two stages of his pilgrimage, and the flight which they were now pursuing with him was a bolder, broader, more triumphant flight. Separable at first from his shadowy self, whose mask he slipped on or slipped off as the whim seized him, the poet and his hero were now one and indivisible. The third canto of *Childe Harold*, which was begun shortly after Byron left England, and finished in less than two months, in Switzerland, is the most remarkable piece of autobiographic verse in the world—or was, until it was followed a year and a half later by the fourth canto of that immortal poem. The confession of a melancholy but mighty spirit, the curse of which it was to be retrospective and introspective, to see what it had been and what it was, it was also the record of a poetic pilgrimage wherein the brighter energies of this potent spirit were quickened into happy activity by its surroundings—the roll of waves and the drift of clouds, the stretch of plains and woods, glimpses of mountains and the vision of a placid lake, the beauty

and sublimity of nature, and the meditations they awakened in his brooding mind—meditations in which he sometimes forgot himself in remembering his fellow-men—these things were the web and woof out of which Byron wove the third canto of *Childe Harold*. More evenly sustained throughout than any of his earlier poems, it is still unequal in parts, the versification in some stanzas reminding one of the limpid flow of a meadow brook, and in others of the breaking of surf on distant beaches. It is dignified in thought and feeling, and nowhere more so than in the stanzas in which he refers to the battle of Waterloo, and those in which he analyzes the characters of Napoleon and Rousseau. With a tact which was not habitual with him, and which in this instance was probably instinctive, he refused to celebrate the battle itself, which only afforded an opportunity for what Campbell contemptuously called drum-and-trumpet music, and refused also to join in the exultations with which his countrymen had welcomed the downfall of their inveterate foe. English to his heart's core, Byron was too great to be an insular Englishman. The fervor of inspiration under which this canto of *Childe Harold* was written remained upon him after its completion, and expended itself in other directions, taking at first a narrative form in *The Prisoner of Chillon*—which was composed in two days, at a little inn near Lausanne, where he was detained by stress of weather—and taking two or three weeks later a personal form in the *Stanzas to Augusta* ("Though the day of my destiny's over"), *The Epistle to Augusta*, ("My sister, my sweet sister, if a name"), and *The Dream*, and *Darkness*. *The Prisoner of Chillon* was written in the sweet, musical key which he had first touched in *Parisina*, but with less tenderness and pathos than now. *The Dream*—but no one who has read Byron can ever forget that exquisite but mournful poem, in which he recounts the story of his hopeless passion for Mary Chaworth, who, loving him not, had mismated, as he had done, and was by this time, no doubt, as wretched as himself.

When Byron first arrived in Switzerland he put up at a hotel in Geneva, where he had for neighbors a younger poet and two ladies who were under his charge. The poet was Mr. Percy Bysshe Shelley. The ladies were Miss Mary Godwin (with whom he had eloped from England two years before, abandoning his wife Harriet and an unborn child), and her half-sister, Miss Jane Clairemont, who, being of a romantic turn of mind, called herself Claire, and became the mistress of the elder poet. The biographies of Shelley are eloquent

over the influence which he exercised on Byron, and which was purely imaginary. The author of *Childe Harold* could learn nothing in poetry or morals from the author of *Laon and Cythna*.

An excursion which Byron made among the mountains in September, and of which he kept a journal, appears to have suggested his next poem, *Manfred*. It was his first elaborate work in blank verse, which he had essayed with measurable success in *The Dream* and *Darkness*, and however much he may have enlarged its capacities at a later period in his tragedies, he never surpassed its masterly use in *Manfred*. The spell which rested upon him while he wrote *Childe Harold* remained, but it was of a calmer, graver, profounder character. The suffering of Childe Harold was the sullen smouldering of a volcano which might again ignite; the sorrow of Manfred was the same volcano extinct, buried under its own ashes, and covered with the pall of its own desolation. Childe Harold could still feel, but Manfred could only remember. Dark, unlovely, unhappy, mysterious, criminal—the Giaour, Selim, Conrad, Lara, Alp—his prototypes were all melodramatic; he alone is tragic. *Manfred* is the tragedy of a lost soul, and simple, severe, austere, it towers in the heaven of English song in lone and lofty magnificence. This *annus mirabilis* (1816) which witnessed Lady Byron's desertion of her husband, and his departure from England; his journey in Holland and up the Rhine, during which he wrote the greater part of the third canto of *Childe Harold*; his residence in Switzerland, where he wrote *The Prisoner of Chillon*, and *Manfred*; this troublous and laborious year was followed by a period of rest and idleness, which was passed in Italy, chiefly at Venice, where, acquiescing in the custom of that amorous watering-place of seventy years ago, he made love to the wife of a merchant—a modern Merchant of Venice—who made love to him in return. Her name was Marianna. She was like an antelope, with great, black Oriental eyes, was twenty-two, and was a termagant.

It was not in the nature of Byron to remain quiet long, for under his idle moods were currents of intellectual activity, while his pleasures were productive of poetic feeling. The spirit of song descended upon him in the spring of 1817, during a day's visit to Ferrara, which he had visited in thought in the autumn of 1815, when he was writing *Parisina*, and, moved by the emotions which it enkindled in him, he wrote *The Lament of Tasso*. It was a pathetic analysis of the personality of that unfortunate poet, in whose sensitive genius

he fancied a relationship with his own, and as it was cast in the form of a soliloquy it may be regarded as his first dramatic study. Written at a heat, like *The Prisoner of Chillon*, which may be said to have been, in a certain sense, the epilogue of the third canto of *Childe Harold*, it served, in the same sense, as a prologue to the fourth and last canto of that incomparable poem. Whether it was begun in one of those fits of inspiration which were characteristic of his powers, or whether it was undertaken only after long and serious thought, we have no means of knowing. Begun in June, upwards of a hundred stanzas were done in the rough by the middle of July, and it was finished early in October. Rapidly written, it was corrected slowly, with the closest scrutiny into the justness of its statements and the precision of their expression. The labors of the file were unceasingly bestowed upon it, and never was poem more worthy of them. An apotheosis of Italy—the glory of its great men and the gloom of its stormy past, the fresh young loveliness of its dewy landscapes and the grandeur of its decaying cities, the splendor of Venice and the desolation of Rome, all that was brightest and darkest in its history sailed, like sunlight and shadow, across its pictured pages. We have the meditative Byron at his maturest in the fourth canto of *Childe Harold*.

But there was another Byron in his chamber before he had finished copying it for the press—the immoral Byron, who had been making love to Marianna for nearly a twelvemonth, and was now turning his knowledge of her and the life about him to poetic account. The versatility of this extraordinary man was never more marked than in his next poem, *Beppo*, which was written for amusement, and without a thought of the new world which it opened for his genius. For just what it was—a merry little anecdote related in the easiest verse imaginable—*Beppo* surpassed everything in the same light direction in English poetry, the airiest trifles of Prior, for example, being in comparison as lead to gossamer. It was succeeded in the autumn of the following year by another narrative poem, *Mazeppa*, the versification of which was conspicuous for rapidity of movement.

But as the years went on there were other Byrons besides the one whom we have studied so far, and who seemed in his single self to be an epitome of mankind. There was the Byron who wrote *Marino Faliero*, *The Two Foscari*, *Sardanapalus*, *The Deformed Transformed*, and *Werner*, which were dramatic in form but undramatic in spirit,

and which were consequently failures, though brilliant ones. There was the Byron who wrote those daring but not irreverent mysteries of the childhood of the race, *Heaven and Earth*, and *Cain*. And there was the Byron who wrote *Don Juan*—that wonderful tragic-comedy into which he poured himself—the accumulated treasures of his heart and mind, the incalculable resources of his genius :

“ The ocean to the river of his thoughts,
Which terminated all.”

In thinking of *Don Juan*, we should do what Doctor Johnson recommended—clear our minds of cant. We should read it as we read *Gil Blas*, not as we read *The Scarlet Letter*. It is a story of life and manners—the life of a young man of a passionate race, whose blood was tumultuous, whose senses were alive, and who was enamoured of the pride of life and the lust of the eye, and manners which were believed to be common in the south of Europe, and which were not unknown in the England of the Prince Regent. It is not the story of Sir Galahad, but the story of Tannhäuser. But what a story, what a poem, what an *Odyssey* it is! Twinkling with humor, sparkling with wit, flushed with tenderness and pathos, and darkened with the shadow of death, it has every element of a modern epic, and, wedded to sweet and solemn music, one tragic episode which defies oblivion. Juan and Haidee will be remembered as long as Romeo and Juliet, and Manfred as long as Hamlet.

RICHARD HENRY STODDARD.

THE ORIGIN OF LIFE.

IN a previous article * the attempt has been made to show the present relation of scientific thought to the question of the significance of life. It has there appeared that the most extreme mechanical position regards life simply as the result of the high chemical and molecular composition of protoplasm. This position is a purely hypothetical one, founded almost entirely upon the supposed tendency of scientific advance; but it is held by many scientists to-day, and certain far-reaching conclusions are based upon it. Whatever be the decision on this question, however, it leaves still unanswered the more important one of the *origin* of life. It is the object of the following pages to examine the scientific views upon this question. Many scientists have reached the conclusion not only that life has a mechanical explanation, but also that it has had a purely mechanical origin. This conclusion is quite at variance with our ordinary line of thought, and it will be desirable to know the basis upon which it rests.

The question is simple enough. Life, by its inherent qualities, is self-perpetuating, and if once it makes its appearance on earth its remaining here as long as conditions admit is a matter of course. Experience and experiment alike, however, tell us that to-day living things do not arise from the non-living. Geology tells us that at one time the earth was so heated that no living thing could have existed on its surface. It follows, from this fact, that life on the globe must have had a beginning. What, then, was the nature of the forces which brought the first living matter into existence?

Experiment and observation have thus far been able to give only negative evidence upon this question. Ever since life has been studied it has been believed by many that living organisms can arise from material that is not alive. Aristotle held this view, and from his time no one presumed to doubt that most of the smaller organisms could, and usually did, arise spontaneously. It was not until the sixteenth century that the matter became one of discussion. At that time Redi discovered that fly-maggots were not produced

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spontaneously from decaying flesh, as had been hitherto believed, but came from something deposited by adult flies. This discovery led him to further observation, and, finally, to the conclusion that there was no such thing in nature as spontaneous generation. Since that time this doctrine has been the ground of many a hard-fought battle. The followers of Redi speedily began to show, by careful study of the facts, that numerous cases of so-called spontaneous generation were simply due to careless observation. It soon was proved that at least all the higher animals arise by the method of reproduction only. The adherents of the belief that life can arise from the non-living were thus driven to base their claims upon the origin of the smaller organisms, and finally upon microscopic forms, which can be studied only with extreme difficulty. But so far from admitting this to be a retreat from their position, they have shown that it is the most natural conclusion possible. For a priori grounds should serve to convince us that if living things can arise from the non-living, this would be true only of the very lowest organisms, those which approach the nearest to the condition of simple protoplasm. The disproof of the claims of the earliest biologists, who believed in the abiogenetic origin of the higher animals, is therefore no proof or even indication that this does not occur in the lowest organisms. The question, therefore, finally settled around the origin of the lowest and smallest forms of life. From this point the matter has been chiefly one of care in experimenting. It was found by some that low organisms, bacteria, infusoria, etc., would arise in closed flasks filled with various material for food, even after all apparent precautions had been taken to exclude everything alive. But other experimenters, employing greater precautions for the exclusion of living matter, obtained opposite results. The verdict vibrated from one side to the other, as different experiments were made known, until at length Pasteur and Tyndall showed that the negative conclusion was the only tenable one. Tyndall more especially, by a series of careful experiments, conducted in a manner beyond the reach of criticism, so conclusively proved that with the proper precautions no living organisms could arise in any solution without the access of previously living organisms, that no one has seriously questioned the matter since. This result, indeed, is only a negative one. It simply shows that no living organisms did arise under the conditions of the experiment. But it is so conclusive that scientists have, with practical unanimity, given up all claim

that there is the slightest evidence for the possibility of spontaneous generation. And this is admitted by the very men who still insist that spontaneous generation must have occurred at some time in the history of the globe.

While it is thus true that biologists have somewhat reluctantly given up the belief in this fascinating theory, this by no means indicates that they have given up a belief in the possibility of life arising from the non-living under the right conditions. Although no one has as yet been able to produce conditions under which life can arise, this by no means proves that under different conditions a different result might not be reached. Protoplasm will not arise in closed flasks, but this does not show that it may not do so at the bottom of the ocean. If it could be shown that life arises spontaneously nowhere on the globe at the present time, this would by no means prove that in other ages, under different conditions, it may not have so arisen. And, indeed, now that the possibility of spontaneous generation to-day is practically decided in the negative, it is beginning to be recognized that the experiments thus far are utterly futile to settle the primary question at issue. Even if a positive result had been obtained, it would have had scarcely any bearing upon the question of the original appearance of life. This will be evident from the following considerations. The first living things must have been able to make use of inorganic material for food, since there could, of course, have been no organic food existing at that time. Our experimenters on spontaneous generation have, however, always used organic solutions in their experiments. Now, to-day, only organisms which are supplied with chlorophyl (the green coloring matter of plants) are able to raise inorganic matter into an organized condition. At the present time, at least, all organic life depends upon the action of chlorophyl. But in the experiments upon spontaneous generation it has only been claimed that such organisms as bacteria and infusoria could arise; and these organisms, containing no chlorophyl, have no power to live upon the inorganic world. Our experimenters have found it always necessary to supply them with an abundance of organic food. Such organisms certainly could not have been the first ones to appear upon the world, since they would be capable of existing only so long as organic food was supplied them. Indeed, if we could imagine the ocean filled with albuminous food before any life appeared, and then assume that these organisms could arise spontaneously, we should be no nearer

to a permanent origin of life than we were before. The only result would be a rapid multiplication of these bacteria until the ocean was filled with them ; the food would be consumed, and then all would die of starvation, since they would be unable to make food for themselves out of the inorganic world as green plants can do. The first living things must have been able to make use of the inorganic world, and plainly, so long as experiments deal only with chlorophyl-less organisms arising in organic solutions, they have no direct relation to the question of the primary origin of life.

Beyond these experiments, which reach only negative conclusions, science has no direct evidence to offer. Plainly, this evidence has not advanced science a single step toward the desired solution. May it not be well, then, to abandon the question, and to say that life was produced by creative fiat? We should thus place the origin of life in the same category of insolvable mysteries as the origin of the universe in general. Looking at the universe in the most extreme mechanical manner it is impossible to think of it without some original creative power. Behind the whole we must posit something which no thought can comprehend. If we must find creative power somewhere, perhaps the beginning of life may be an instance of its action. It may be well, then, inasmuch as it seems probable that the origin of life can be nothing but a matter of speculation, to class it with the origin of matter and force, and thus cease to attempt to explain it.

But this science refuses to do. Science grants that there are insolvable mysteries. The origin of matter and force, the origin of motion, of consciousness, are utterly insolvable mysteries, and are hence outside the realm of science. But it is thought that the origin of life is not one of those transcendental mysteries, but is one which will in due time be solved. This belief has been more especially prevalent among scientists since the precipitate advance of speculation in the last twenty-five years, due to the growth of the ideas comprised in the theory of evolution. This theory or group of theories has led to a belief in the general efficiency of natural law to account for natural phenomena ; and from this conception has arisen the claim that there must have been a natural origin of life. While, then, biologists have somewhat reluctantly given up their beliefs in the present possibility of spontaneous generation, many of them even the more strenuously assert that at some time, in some way, life must have arisen from the non-living. Negative results, we are told,

do not reach the question. They do not prove that life has always arisen from life, though it may universally do so to-day; nor do they disprove that under different conditions entirely different results may have been obtained. Unable, therefore, to obtain direct evidence either for or against its proposition of a natural origin of life, science endeavors to meet the question by speculation. Having shown, as we have seen in the previous article, that vital processes are closely related to chemical and physical conditions, suggestions as to a possible causal connection between the two are of some significance. Speculations as to the origin of life can, therefore, hardly be called absurd, though they are almost unfounded in fact. Although they cannot be regarded as having much value, nevertheless modern scientific beliefs are in a measure founded on them. It will be necessary, then, in order to comprehend this phase of thought, briefly to review one of these speculations. I select for this purpose one which is moderate in its terms and which has received wide consideration. It is somewhat as follows:

We must assume at the outset that life is simply the property of the complex composition of protoplasm. Without the above assumption it is plain that there can be no speculation upon the matter. To any one who is unwilling to accept this most extreme mechanical conception of the significance of life, any suggestion as to the origin of life otherwise than by creative fiat means nothing. If life is some immaterial essence, vitality, it is impossible even to think of it as having a natural origin. Those who hold this view may therefore regard with indifference any attempt to imagine such an origin. If, however, one is willing, even provisionally, to accept some mechanical theory of the significance of life, he will be ready to take into candid consideration any suggestions as to its original spontaneous generation.

With this assumption, then, provisionally granted, we may go on to ask how the complex composition of protoplasm could have been originally reached. During the early history of the globe the temperature was so high that few, if any, chemical compounds could exist. As the earth cooled by radiation, the elements hitherto kept apart began to come together in chemical union. All during the long process of cooling conditions existed which have never been matched since. Even after the temperature had reached a degree which admitted the existence of organic compounds, every circumstance was utterly different from what is found to-day. Different

temperature, different relations of moisture, different electrical conditions, an atmosphere containing vastly more CO₂ and O than ours; all these factors, and thousands of others of which it is needless to speculate, combined to make the conditions of chemical union widely different from any that can now occur. Under these circumstances it is plain that, with the universal chemical laws, chemical processes would be carried on of which we can know nothing, but which would be very different from any taking place in the world at present, or which can be simulated in the laboratory by the chemist or biologist. These early times presented thus, in terms of the speculation, the possibility of production of an almost infinite variety of compounds, each with its own peculiar properties. Some of these compounds were so stable as to continue to exist down to the present day, almost unchanged. Others were constantly changing. This was particularly true of the compounds of carbon, because of the peculiar properties of this element. Many of these carbon compounds doubtless would disappear with a change of conditions, breaking up to enter into other combinations and form other unstable compounds. Now, amid this continued succession of changes, the conditions of heat, electricity, etc., might at one time have been such as to cause the elements C, O, H, N, to unite into certain complex bodies approximating organic compounds. That this is a possibility becomes evident when we remember that our chemists have already begun to imitate these processes in the laboratory. Many organic compounds have been synthetically manufactured from inorganic material. These compounds of early times might not have continued to exist very long, since they were unstable, and had no power of self-perpetuation.

Thus far, perhaps, no one will hesitate to follow the scientist. But now he takes a step in the dark. He supposes that at one time these elements united into a compound which was, owing to its peculiar composition, capable of causing other bodies to change. By virtue of this power other complicated bodies then existing were caused to assume the composition of the new one, according to laws previously noticed in discussing the significance of life. Once this power is acquired, the compound possessing it would not disappear, like the other unstable compounds, but would be permanent. For this substance would grow, and all the essential features of life, it is said, can be deduced from growth. This compound was, of course, protoplasm in its simplest form. It was only one of a large

number of complex compounds which made their appearance under the peculiar chemical conditions of early eras. Numerous others were doubtless formed, each possessing its own properties. But only that compound which was capable of assimilation could continue to exist in an active condition during the subsequent ages. This substance eventually absorbed other compounds in any way similar to itself, which arose contemporaneously with or before it, and it remains, therefore, to-day the only living matter, the physical basis of life.

It will be seen that, according to this speculation, the first form of living matter was by no means similar to any organism of to-day. It was rather a diffused mass of protoplasmic substance, with no differentiation into cells, parts, or individuals. It was a mass similar to the problematical *Bathybius*; and this explains why biologists have been so eager to believe in such an organism as *Bathybius*, living at the bottom of the sea. It will be further seen that there is no necessity to assume that this first protoplasm possessed chlorophyl, for, according to the hypothesis, there were many other carbon compounds of high complexity produced at the same time. These compounds, more or less similar to protoplasm, though not capable of self-perpetuation, would well serve the first protoplasm as food. There would thus be no lack of sufficient organic material for the subsistence of the first living body, even though this organism was incapable of feeding upon the inorganic world directly. Doubtless, too, the conditions which produced the first living protoplasm existed for a long time, and thus living matter would for a long time be brought into existence by processes other than those of reproduction. Indeed, there was no definite beginning of life. Here, as elsewhere, nature made no jump, but produced life as she produces everything else, by slow stages. Chemical processes of early times resulted in the production of many compounds which, acting upon each other, and acted on by the changing conditions, became modified in an infinite variety of ways. Their complexity and instability became very great. Finally, some of the most unstable of all began to effect changes in others which resulted in assimilation, and thus slowly the properties which we call living were acquired. Slowly, too, these properties became more marked. Simpler and simpler substances were made use of as food. So long as the original conditions lasted there would, of course, be no need that living matter should possess the properties of chlorophyl. Nor was this at all necessary while circumstances were such as to make

possible the natural development of high carbon compounds. Eventually the power to live upon the simpler inorganic foods must have been acquired. But it is only necessary to assume that this power became fully developed by the time that the conditions had so changed that protoplasm could no longer be developed by the original spontaneous method. Perhaps for ages protoplasm existed, unable to use inorganic food, but finding sufficient food in surrounding complex carbon compounds. And when this power did at last become developed it was not acquired by all protoplasm. For just at this point the organic world became divided into two parts. One part did develop chlorophyl, and has since been able to live upon inorganic matter, using the energy of sunlight to build this matter into an organic compound. Finding its food, CO_2 , H_2O , and sunlight, everywhere, this class of organisms did not acquire the power of motion. The other part, never developing chlorophyl, became of necessity at last parasitic upon the first class, and developed its almost universal power of motion in order to enable it to seek its food. The animal and vegetable kingdom were thus finally separated from each other, with the relations which they hold at the present day.

Such, in brief outline, is the substance of some of the modern speculations concerning the method by which life arose. It represents only one phase of such speculations, and is subject to great modification in the minds of different thinkers. It is plainly open to sufficient criticism, and it is equally clear that it is not capable of direct proof, at least, in the present state of science. It is as moderate in its terms as any of the suggestions upon the subject, and makes as slight claims upon our credulity. It will, at all events, serve our present purpose of giving us an idea of the relation of speculation to the question of the origin of life.

Now, what are these speculations worth? Many will immediately answer that they are worth nothing. Others may regard them as having a certain amount of suggestiveness, but no great value. It is perfectly plain to every one that they are purely hypothetical. Not only are they unproven hypotheses, but they are, further, of such a nature that there can be no evidence either for or against them. They must be unhesitatingly set down as scarcely more than bold guesses at a possibility. Even Huxley says: "Of the causes which have led to the origination of living matter it may be said we know absolutely nothing." If, then, science is to confine itself to

facts, these suggestions may be cast aside as worthless. Why is it, then, that we find so many biologists to-day willing and more than willing, anxious, to accept them? Certainly it is not because experience or experiment has demanded them, not because they are the simplest explanations, not because a large number of converging lines of thought point toward them. Those who seriously discuss these speculations, or regard them as of any significance, do so from some cause lying outside of the question itself.

And this cause is to be found in certain philosophical conceptions. Science studies the world from one standpoint only; a standpoint which its devotees naturally believe will lead them most surely to the truth. This study of nature from the exterior has led to a grand generalization that all nature is governed by law. The significance of the word law does not particularly concern science, but is left to other realms of thought. Science satisfies itself in discovering and applying laws. A thorough study of nature has made it seem probable that natural law, when thoroughly comprehended, will explain all natural phenomena. So many facts formerly relegated to the realm of the supernatural have now been explained by natural law, that science has determined to call in the supernatural as seldom as possible, and to accept no breaks in the chain of law, unless absolutely forced to do so. This generalization is at the foundation of the terms, law of continuity and evolution, as they are used by science to-day. The significance which this question of the origin of life has for all evolutionary theories is at once evident. It is a most important link in the chain of continuity, for unless the spontaneous generation of life be a fact, the law of continuity is no law. For even if science does succeed in explaining the *development* of life from the lowest form to the highest, but does not explain the origin of this first form, it has only half accomplished that for which it is striving, viz., to reduce living phenomena to the same laws which govern the non-living. It is not surprising, therefore, that we find biologists observing, experimenting, and speculating, in order to find some way to help themselves out of their dilemma. To any one who is inclined to believe in this law of continuity, and the efficiency of natural forces, such speculations as the above, which show a possible avoidance of a break at the beginning of life, have a certain amount of significance. If we are inclined to believe that "Nature does not make jumps," it follows that every break which we see in the continuity is not a break in reality, but simply

in our knowledge of history. Many breaks which formerly existed, in our knowledge, have disappeared with advancing discovery. It is natural, then, to believe that the present chasm between life and non-life was, at the beginning of the world, no chasm, but filled with lost stages which may never be recovered. Speculations as to the nature of these lost stages have, therefore, some meaning in the light of the law of continuity. Scientists do not look upon any of them as necessarily or even probably true. They do not consider that we have sufficient knowledge to say anything definite upon the subject. But science does look upon these speculations as indicating that the problem of the origin of life is not an insolvable one. Scientists take them for what they are, pure speculations, but think that the possibility of forming them indicates that the break at the beginning of life is one of ignorance and not one of fact.

It is, then, only the supposed existence of a philosophical necessity which has created a demand for some theory of a natural origin of life, and called into existence the various speculations on the subject. The conclusion has been reached that the general advance of thought and investigation has practically established the truth of the law of continuity. This law, so thoroughly believed in by modern science, demands the destruction of the chasm between the living and the non-living. Science has, therefore, set to work to destroy it. It has shown that the chasm is not so great as was once thought ; it has proved that the animal body, with protoplasm in general, is a machine making use of the chemical energy of its foods ; it has shown that growth is little more than chemical change, and that reproduction depends directly upon growth ; it has shown that throughout the organic world the same physical and chemical forces are at play as in the inorganic world, only under, more complex conditions ; and it has rendered it probable that most of the vital properties are directly dependent upon and explained by chemical and physical forces. Science has, in short, proved that living processes are a continuous change of chemical and physical forces, and that what we mean by life is something to direct this play of force. It then assumes that this something is to be accounted for as the property of protoplasm resulting from its complex composition. This assumption is plainly a long step in the region of hypothesis. But once made, it becomes easy to posit and to explain by speculation the spontaneous origin of life. For, indeed, it now follows as a matter of necessity. The conclusion which experiment

forces upon us, that spontaneous generation does not occur in nature to-day, is cast aside as irrelevant to the more fundamental question. For we ought not to expect, even if life originally did appear mechanically, that it could do so now, since the conditions are so different. Concerning the first origin of life, science, therefore, knows nothing, and is obliged to rest satisfied with the statement that its original mechanical origin is an absolute necessity of thought. "To hold the beginning of life as an arbitrary creation is to break with the whole theory of cognition," says Zöllner. To the scientist who is convinced of the universal truth of the law of continuity, therefore, the natural origin of life, though not possible now, was possible and did occur in early times under conditions about which we can only speculate. Carbon in former times crystallized in the form of diamond, because of conditions which then existed, and it does not do so now because of the absence of those conditions. So, we are told, the elements, carbon, oxygen, hydrogen, and nitrogen, did in former times unite together to form protoplasm, under conditions which then existed, but have long since passed away.

But this will seem to be attacking the problem from the wrong end. The law of continuity is the law to be proved. To any one who is disposed to question the far-reaching significance of this law the matter is by no means so evident. If we are willing to accept the existence of breaks, few or many, in the history of the universe, we may well place one at the beginning of life. The break exists to-day, at least, and no amount of ingenious speculation is sufficient to destroy it. Incapable of proof or disproof, demanded by no bit of evidence, and, if we do not accept the law of continuity, not demanded by any philosophical necessity, these speculations of science will be regarded as worthless. They are laborious searches after something which does not exist.

In conclusion, then, it will be seen that the origin of life is shrouded in as deep darkness as ever, in spite of the statements sometimes heard that the solution of the question is close at hand. Many secondary problems have been and are being solved, but the real problem remains as yet untouched, except by hypothesis and speculation. Vital processes may all be shown to be chemical and physical processes, but this will never explain why they are carried on automatically in living protoplasm only. And granting, if we are inclined to do so, that it is one of the physical properties of the complex composition of living protoplasm to direct this play of

force, there still remains the fact that to-day protoplasm can only come from other living protoplasm. Whence, then, came the first living protoplasm? To this question science offers, first, the law of continuity, in terms of which the spontaneous generation of life is a necessity; and, second, various speculations which, though acknowledged to be entirely unfounded in fact, are regarded as showing that in the boundless possibilities of the past spontaneous generation might well have taken place, provided it be granted that life is simply the result of complex chemical and molecular composition.

This is certainly no very great result. But it is probably as far as science will be able to advance, unless an unexpected success in making living matter from inorganic material attend some of the experiments of our investigators. We cannot, of course, deny the possibility of this, but there seems at present no prospect of it. Until something of this sort is done, it will always be possible, on the one hand, to say that nothing is proved; and on the other, to appeal to the possibilities of past unknown conditions. So long, therefore, as there is no direct evidence possible, the conclusion reached will depend upon the general teaching of all branches of science. A belief in the natural origin of life will stand or fall with the all-significant theory of the law of continuity or philosophical evolution. If the study of all realms of thought, science, theology, philosophy, leads to a growing belief that this theory expresses a law of the universe, the abiogenetic origin of life will follow as a matter of necessity. If, however, the conclusion remains, which is prevalent to-day, that there are breaks in the chain of continuity, this abiogenetic origin of life will remain a matter of pure speculation. Debate is therefore of little value. No one can be convinced upon either side without a predisposition derived from his philosophical conceptions. And these will depend on general lines of study and habits of thought, and not on the probability or improbability of the life speculation. Recognizing that the scientist's belief in the mechanical origin of life is purely deductive, it should only be discussed by discussing the general truth of the law from which it is deduced. Either of the views is perfectly consistent with theistic philosophy. In the present light of science, therefore, the theory of the original natural origin of life must be regarded as standing or falling according to our way of looking at God's method of ruling the universe.

H. W. CONN.

THE FIRST CENTURY OF THE CONSTITUTION.

ONE hundred years ago, on the 17th of this month, the Federal Convention of 1787, having completed the formation of a Constitution for the United States, and having adopted it "by the unanimous consent of the States present," adjourned, with a letter to Congress, asking that the Constitution be transmitted to conventions in the several States, for ratification or rejection. "That it will meet the full and entire approbation of every State," said the letter, "is not, perhaps, to be expected"; and the apprehension of the Convention was fully justified by the force of the opposition which met it in several of the most important State conventions. For months, the most acute political observer dared not venture a prophecy as to the success or failure of the new Constitution; and the change of 2 out of 60 votes in New York, of 5 out of 168 votes in Virginia, and of 10 out of 355 votes in Massachusetts, on the decisive ballots, would have been enough to reject the instrument, and to throw the country back into chaos.

It is not a little odd to notice how rapidly this intense opposition was supplanted by what Von Holst has called "the worship of the Constitution." Within four years after its formation, and in the second year after its ratification, its original opponents had begun to pose as "friends of the Constitution"; and from that day to this, the chorus in praise of its general scheme and of its details has been swelled higher by every minority which has found here its last and strongest bulwark against the power of the majority. And the universal verdict has not been unjust; the work of the Convention deserves all that can be said in its favor. Kingdoms and thrones have risen or fallen; the governments of all other civilized countries have been changed in form and essence; the jurisdiction of the United States has spread over a new territory far larger than the whole original country for which the Constitution was intended; and the instrument itself has been subjected to all the encroaching influences of advancing modern life: but the Constitution still holds its first shape, to the apparently unanimous contentment of the people. Such a success argues great constructive

ability in its framers, and the argument has generally been accepted as valid.

The verdict of approval, however, has usually taken a form which implies a certain *fiat* power in the Convention. The first number of the *Federalist*, issued in the month following the adjournment of the Convention, speaks on this wise :

“It seems to have been reserved to the people of this country to decide, by their conduct and example, the important question whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.”

The implications of this passage are only carried out to their logical conclusion in Mr. Gladstone’s often-quoted sentence: “The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man.” Is this sentence, in its full force, within the range of possibility? Is it possible for even the wisest and most patriotic body of human beings, through debates of less than four months, to create out of nothing a scheme of government which shall endure with no practical change for a hundred years of the most active national life that modern times have known? Would such an origin justify Maine’s admission * that the American system “has been adequately discussed,” as well as “tested by experiment”? Would it not be more exact to say that the work of the Convention was mainly that of selection from the provisions of the State constitutions, in which they had been adequately discussed, as well as tested by experiment? And what has been the fate of the entirely new departures of the Convention, of the results of its really creative genius and power, during its first century of trial?

For the purposes of this article, it seems to be fair to leave out of consideration certain provisions of the Constitution: (1) matters of mere detail, such as the ages and terms of service of senators, representatives, and the President and Vice-President; (2) certain features derived from the experience of the race in the mother-country, such as the exemption of members of Congress from arrest or from responsibility elsewhere for words spoken in debate; (3) certain minor features inseparably connected with a new national government, which could not possibly be derived from the State systems, such as the equality of duties in all the States, the special

* Maine’s *Popular Government*, p. 110.

and original jurisdiction of the Supreme Court, and the power of Congress over the Territories ; and (4) the prohibitions on the States, which are *prima facie* the results of State experiments, shown to be necessary by the evil consequences of the previous permission to the States to exercise such powers. An abundant field will still be left for investigation.

The *Federalist* appeals again and again * to State experience in support of various features of the new Constitution, and the appeals would be enough to show that the Convention held the experience of the States carefully in view. The Convention, however, was without the help which the modern student finds in such collections as those of Poore and Hough,† and was forced to take much of its information concerning State constitutions and laws at second-hand. It is possible for us to get a very clear idea of the forms of government in the States as they stood at the time of the Convention's meeting. All the States then had written "constitutions," with the exception of Connecticut and Rhode Island, which still held to their colonial charters. The dates of adoption of these instruments were as follows : Connecticut, 1662 ; Delaware, 1776 ; Georgia, 1777 ; Maryland, 1776 ; Massachusetts, 1780 ; New Hampshire, 1784 ; New Jersey, 1776 ; New York, 1777 ; North Carolina, 1776 ; Pennsylvania, 1776 ; Rhode Island, 1663 ; South Carolina, 1778 ; and Virginia, 1776. Vermont, though not yet recognized as a State, had its constitution, adopted in 1786, largely from that of Pennsylvania. It is only in appearance that the forms of government of Connecticut and Rhode Island antedate the others. The new constitutions were the natural outgrowths of the colonial systems, established by charters or by commissions to royal or proprietary governors ; and the provisions of the constitutions were only attempts to adopt such features as had grown up under the colonial systems, or to cut out such features as colonial or State experience had satisfied the people were dangerous. All the colonial systems had been very loosely stated ; such features as the bi-cameral nature of the legislatures, or even the existence of the Legislature itself, had been the result of popular initiative, not of the charters or commissions ;

* *E. g.*, in Nos. XXXIX and XLVII.

† Hough's *American Constitutions* (1871) ; Poore's *Federal and State Constitutions* (1877). Poore is the more useful for such an examination as this, as it contains the State charters and grants, as well as all the subsequent constitutions, while Hough gives only the constitutions in force at its date of publication. In such case as that of Massachusetts, where the Constitution of 1780 is still in force, Hough is, of course, of service.

and the legislatures had developed them, even before 1776, into much the same forms as the first written constitutions, in Connecticut and Rhode Island, just as well as in those States which framed nominally new constitutions.

A comparison of the completed Constitution with the contemporary State constitutions has resulted in the following attempt to show the points in which the Convention was indebted to the work already done by the States. Lack of space has compelled the omission of the numerous and significant cases of provisions considered and rejected by the Convention, but evidently drawn from one or more State constitutions; nor can it be said with certainty that all of those which were finally adopted have been included: even after the writer had supposed that his preliminary reading of the State constitutions had been fairly well completed, he has found provisions the applicability of which he had overlooked; and he cannot be sure that there are not others. Nevertheless, there are enough of them to show that Mr. Gladstone's notion of the Constitution as a creation is altogether erroneous, and that it was a growth, or, rather, a selection from a great number of growths then before the Convention.

That part of the Constitution which has attracted most notice abroad is probably its division of Congress into a Senate and a House of Representatives, with the resulting scheme of the Senate, as based on the equal representation of the States. It is probably inevitable that the upper or hereditary House in foreign legislative bodies shall disappear in time, and it is not easy to hit on any available substitute; and English writers, for example, judging from the difficulty of finding a substitute for the House of Lords, have rated too high the political skill of the Convention in hitting upon so brilliant a success as the Senate. It is not difficult to show, step by step, that the success of the Convention was due to the antecedent experience of the States. Excepting Pennsylvania and Vermont, which then gave all legislative powers to one House, and executive powers to a Governor and Council, all the States had bi-cameral systems in 1787. The name "Senate" was used for the upper House in Maryland, Massachusetts, New York, North Carolina, New Hampshire, South Carolina, and Virginia; and the name "House of Representatives," for the lower House, was in use in Massachusetts, New Hampshire, and South Carolina, as well as in Pennsylvania and Vermont. The rotation, by which one-third of the Senate

goes out every two years, was taken from Delaware, where one-third went out each year, New York (one-fourth each year), Pennsylvania (one-third of the Council each year), and Virginia (one-fourth each year). The Constitution's provision for a census has been extravagantly praised as the first instance of the incorporation of such a provision into the organic law of any country; it was really taken from New York's provision for such a census every *seven* years, introduced for just the same purpose—the apportionment of representatives. The provisions of the whole fifth section of Article I., the administration of the two Houses, their power to decide the election of their members, make rules and punish their violation, keep a journal, and adjourn from day to day, are in so many State constitutions that no specification is needed for them. The provision that money-bills shall originate in the House of Representatives is taken, almost word for word, from the constitutions of Massachusetts and New Hampshire, as is the provision, which has never been needed, that the President may adjourn the two Houses when they cannot agree on a time of adjournment. The provision for a Message is from the Constitution of New York. All the details of the process of impeachment, as adopted by the Convention, may be found in the constitutions of Delaware, Massachusetts, New Hampshire, New York, Pennsylvania, South Carolina, Vermont, and Virginia, even to the provision, in the South Carolina system, that conviction should follow the vote of "two-thirds of the members *present*." (It should be said, however, that the limitation of sentence, in case of conviction, to "removal from office and disqualification" for further office-holding, is a new feature.) Even the much-praised process of the veto is taken *en bloc* from the Massachusetts Constitution of 1780; and the slight changes are so evidently introduced as improvements on the language alone as to show that the substance was copied.

The adoption of different bases for the two Houses—the House of Representatives representing the States according to population, while the Senate represented them equally—was one of the most important pieces of work which the Convention accomplished, as well as the one which it reached most unwillingly. If both Houses had represented the States proportionally, as the Virginia plan, the favorite scheme of the majority of the Convention, contemplated, a bill which should pass one House would have everything in its favor in the other, and would have little to dread from the President, who

was to have been elected by the two Houses. Under the Constitution as adopted, a bill which passes one House has to meet absolutely new conditions in the other, as well as from the President; and an enormous mass of legislation has thus been strangled in its infancy, to the no small benefit and satisfaction of the American people. But here, also, it was to the previous experiments by the States that the Convention owed its success. All the States had been experimenting to find different bases for their two Houses. Virginia had come nearest to the appearance of the final result, in having her Senate chosen by districts and her Representatives by counties; and, as the Union already had its "districts" formed (in the States), one might think that the Convention merely followed Virginia's experience. But the real process was far different and more circuitous. There were eleven States represented in the Convention, New Hampshire taking New York's place when the latter withdrew and Rhode Island sending no delegates. Roughly speaking, five States wanted the "Virginia plan" above stated; five wanted one House, as in the Confederation, with State equality in it; and one (Connecticut) had a plan of its own, to which the other ten States finally acceded. The Connecticut system, since 1699, when its Legislature was divided into two Houses, had maintained the equality of the towns in the lower House, while choosing the members of the upper House from the whole people. In like manner, its delegates now proposed that the States should be equally represented in the Senate, while the House of Representatives, chosen from the States in proportion to population, should represent the people numerically. The proposition was renewed again and again for nearly a month, until the two main divisions of the Convention, unable to agree, accepted the "Connecticut compromise," as Bancroft calls it, and the peculiar constitution of the Senate was adopted.

The President's office was simply a development of that of the governors of the States. The name itself had been familiar; Delaware, New Hampshire, Pennsylvania, and South Carolina had used the title of "President" instead of that of Governor. In all the States the Governor was Commander-in-Chief, except that in Rhode Island he was to have the advice of six assistants and the major part of the freemen, before entering upon his duties. The President's pardoning power was drawn from the example of the States; they had granted it to the governors (in some cases with the advice of a council) in all the States except Connecticut, Rhode Island, and

Georgia, where it was retained to the Legislature, and in South Carolina, where it seems to have been forgotten in the Constitution of 1778, but was given to the Governor in 1790. The Governor was elected directly by the people in Connecticut, Massachusetts, New Hampshire, New York, and Rhode Island, and indirectly, by the two Houses, in the other eight States; and in this nearly equal division we may, perhaps, find a reason for the Convention's hesitation to adopt either system, and for its futile attempt to introduce an electoral system, as a compromise. The power given to the Senate, of ratifying or rejecting the President's appointments, seems to have been an echo of New York's Council of Appointment; the most strenuous and persistent efforts were made to provide a council to share in appointments with the President; the admission of the Senate as a substitute was the furthest concession which the majority would make; and hardly any failure of details caused more heart-burnings than the rejection of this proposed council for appointments. The President's power of filling vacancies, by commissions to expire at the end of the next session of the Senate, is taken in terms from the Constitution of North Carolina. Almost every State prescribed a form of oath for its officers; the simple and impressive oath of the President seems to have been taken from that of Pennsylvania, with a suggestion, much improved in language, from the oath of allegiance of the same State.

The office of Vice-President was evidently suggested by that of the Deputy, or Lieutenant-Governor (in four States the "Vice-President"), of the States. In most of the States he was to succeed the Governor when succession was necessary, and in the meantime was to preside over the upper House. In North Carolina, the Governor was to be succeeded by the Speaker of the upper House, and he, in case of necessity, by the Speaker of the lower House, a provision which seems to have had its effect on the manner of the Presidential succession which was so long the rule under the Constitution. But the exact prototype of the office of Vice-President is to be found in that of the Lieutenant-Governor of New York. He was to preside in the Senate, without a vote, except in case of a tie, was to succeed the Governor, when succession was necessary, and was to be succeeded by the president *pro tempore* of the Senate.

The Convention very acutely did no more than constitute one Supreme Court, and define the general jurisdiction of United States courts, leaving Congress to work out the details of the system by

legislation. The practical operation of the Federal judiciary is, therefore, rather a legislative than a constitutional result, and is mainly derived from State practice or experience. Undoubtedly, the great achievement of the Convention, in this matter, was the erection of the judiciary into a position as a coördinate branch of the Government. Even in Great Britain the judiciary had been no more than a branch of the executive; its function was merely to advise the executive how to carry the orders of the legislative body into effect. "If Titius be accused of treason, murder, or other crime, and be thereof convicted, the judgment of the court is its advice in what manner he shall be punished according to law, which advice is to be carried into effect by the executive officers."^{*} This function is, of course, still retained by the American courts; but they have an additional and even larger one. The English court must simply obey the Act of Parliament, for all Acts of Parliament are constitutional; Parliament makes the British Constitution what it will. Such sovereign governments are unknown in the United States; the courts have to deal with the will of the real sovereign, the people, put into permanent shape in a written constitution; and they have to consider, when any law is pleaded before them, whether the law is in accord with the will of the real sovereign, and valid, or opposed to it, and "unconstitutional." This is the feature which so many foreign observers seem to find it most difficult to understand. They seem to imagine, for example, that the Supreme Court is always sitting at Washington in solemn conclave, for the purpose of examining Acts of Congress and deciding whether they are "constitutional" or not; and it is not easy to persuade them that all American courts deal only with suits between individuals, and that the legislative act comes up only as it is pleaded in the individual suit.

Nevertheless, it is true that the erection of the judiciary into this coördinate position has been one of the most distinguished successes of the American system; but it is equally true that it came in, not with the Convention, but with the adoption of written constitutions by the States. In fact, it is inseparable from the adoption of a written constitution as the permanent exponent of a purely popular will. As soon as this takes place, in any country, the courts must have a supreme respect for the written constitution, as the exponent of the higher will, and must therefore examine and decide upon

* 1 *Tucker's Blackstone's Commentaries*, 354.

all purely legislative acts according to their conformity with this instrument. The "regulation" of the Legislature by the judiciary is thus only apparent, being merely the result of the common subordination of both to the higher authority. This result had already been obtained in eleven of the thirteen States, in 1787, through their adoption of written constitutions; and the Convention, by its coincident adoption of a written constitution and of a system of courts, copied directly the results of State experience. Indeed, the germs of the whole system may be traced far back of 1776, into colonial experience. There were no written constitutions, to force a development of the modern American basis of the judiciary; but there were no supreme colonial legislatures. There was, at least, so much consciousness of the supremacy of another power as to give the courts an excuse or provocation for treating colonial legislative acts brought into issue before them on the general question of their accord with a higher authority. The action of the Rhode Island judges in 1786, under a charter only, in relation to the Forcing Act, is but a phase of the process through which the judiciary of all the States had passed to a greater or less extent.

The provisions for the recognition of inter-State citizenship, and for the rendition of fugitive slaves and criminals, were a necessity in any such form of government as was contemplated, but were not at all new. They had formed a part of the eighth article of the New England Confederation of 1643.* It provided for

"the free and speedy passage of justice, in every jurisdiction, to all the confederates equally as their own, receiving those that remove from one plantation to another without due certificates. . . . It is also agreed that, if any servant run away from his master into any other of these confederated jurisdictions, that in such case, upon the certificate of one magistrate in the jurisdiction out of which the said servant fled, or upon other due proof, the said servant shall be delivered either to his master or any other that pursues and brings such certificate or proof. And that upon the escape of any prisoner whatsoever, or fugitive for any criminal cause, whether breaking prison or getting from the officer, or otherwise escaping, upon the certificate of two magistrates of the jurisdiction out of which the escape is made, that he was a prisoner or such an offender at the time of his escape, the magistrates, or some of them, of that jurisdiction where, for the present, the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear for the apprehending of any such person, and the delivery of him into the hands of the officer or other person that pursues him."

If the Convention did not avail itself of the experience of its prede-

* The instrument may be consulted most easily in Preston's *Documents Illustrative of American History*, p. 92.

cessor of the previous century, is it not a little odd that it should happen to bring just these three provisions together as the second section of Article IV.?

The provision for the admission of new States was the result of State experience only. All the States had experienced the British system of treating colonies as mere creatures of an omnipotent Parliament ; and they had been determined that their Territories should be treated in a different way, as inchoate States. The Constitution's provision had its origin in the Congress of the Confederation. It is to the Ordinance of 1787, not to the Convention of that year, that we must look for the conception of this powerful factor in our peculiar national development ; and the Congress of the Confederation took it, not from creative genius, but from the natural growth of State feeling.

Finally, the first ten amendments, which were tacitly taken as a part of the original instrument, are merely a selection from the substance or the spirit of the Bills of Rights which preceded so many of the State constitutions.

The most solid and excellent work done by the Convention was its statement of the powers of Congress (in Section 8 of Article I.) and its definition of the sphere of the Federal judiciary (in Article III.). The results in both of these cases were due, like the powers denied to the States and to the United States (in Sections 9 and 10 of Article I.), to the previous experience of government by the States alone. For eleven years or more (to say nothing of the antecedent colonial experience, the people had been engaged, in their State governments, in an exhaustive analysis of the powers of government. The failures in regard to some, the successes in regard to others, were all before the Convention for its consideration and guidance. Not creative genius, but wise and discreet selection, was the proper work of the Convention ; and its success was due to its clear perception of the antecedent failures and successes, and to the self-restraint of its members.

Full credit, however, should be given to the Convention for those provisions which, though not exactly the results of creative genius, were first brought into question in this body, and were settled in a manner beyond all praise. (1) The prohibition of the appointment of Senators or Representatives to offices created or increased in salary during their term, though suggested by English experience, was a wise provision. (2) The definition of treason, and the limita-

tion of its punishment, are among the best new features of the Constitution. The Convention had already provided for the growth of democracy, by taking as the Federal right of suffrage in each State the widest right of suffrage admitted by the State in its own elections. Democracy brings with it a personal horror of treason which is almost enough of itself to "make treason odious," without any punishment additional to the physical hazards of overt action. This may justify the action of the Convention, and may serve to explain why it has never been necessary to execute any one in the United States for treason, and why Congress, in the very heat of the civil war (1862),* voluntarily reduced the punishment of treason from death alone to death or fine and imprisonment, at the discretion of the court. (3) The "guaranty clause" (Section 4 of Article IV.) is quite new; and yet its interpretation, in the process of reconstruction, is quite a contrast to that which the *Federalist*† puts on it:

"The authority extends no further than to a *guaranty* of a republican form of government, which supposes a preëxisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. . . . The only restriction imposed on them (the States) is that they shall not exchange republican for anti-republican constitutions."

The mode of amendment, the "supreme law clause," and the provision for swearing State as well as Federal officials to support the Constitution of the United States are all of them new, and, however essential under the circumstances, can hardly be accredited to anything but the wisdom of the Convention.

Was there, then, no effort of creative genius on the part of the Convention, not immediately suggested by State experience, and not imperatively called for by the circumstances of its work? The electoral system is almost the only feature which answers all these requirements; it was almost the only feature of the Constitution which was purely artificial, not a natural growth; it was the one which met least criticism from contemporary opponents of the Constitution, and most unreserved praise from the *Federalist*;‡ and democracy has ridden right over it. The electors were to be officers who should exercise complete power of individual choice among the various candidates for the presidency, without regard to the claims of party; as a matter of fact, they have come to be the

* 12 *Statutes at Large*, 589.

† No. XLIII.

‡ No. LXVIII.

mere registers of party preference and decision. Even in 1796, at the third election under this clause, party lines were pretty strictly drawn among the electors, though several Democratic electors, passing over the preference of their party, voted for John Adams. Since 1796, no instance has been known of disobedience by electors to the will of the party whose representatives they have been. It is true that the system has been preferable to direct popular choice in one point: a majority of 250,000 in a State can do no more than a plurality of one vote; either secures the electoral vote of the State, and no more. The system has spared us temptations to fraud of the power of which we can scarcely judge. But this is just the element which is the only natural thing about the system; the only feature of it which previous State experience would have suggested; and it is the only feature which has survived.

If the brilliant success of the American Constitution proves anything, it does not prove that a viable constitution can ever be "struck off at a given time by the brain and purpose of man." Man may be a political animal, but in no such sense as this. On the contrary, the first century of the Constitution seems to show conclusively that natural growth alone gives the promise as well as the potency of permanence. Madison, in the *Federalist*,* speaks apologetically of the very circumstance which has made the Constitution a sound and lasting political work, its want of artificiality. He knew that, so far from the members of the Convention having been tempted into absolute experiment, there was hardly a detail of their completed work which had not already been through the fire of actual, practical experience in the State governments. To accuse the members of having deliberately hazarded the destinies of their country upon the outcome of an entirely new and untried instrument of government would be an injustice against which they would have been the first to protest; and yet the intensity of posterity's admiration for their success is continually tempting new writers into what is in reality just such an accusation. It is for this reason, and not out of any desire to detract from the merits of the Convention of 1787, that it has seemed good to go for once into the real sources of their success.

* No. XXXVIII.—"Would it be wonderful if . . . the Convention should have been forced into some deviation from that artificial structure and regular symmetry which an abstract view of the subject might lead an ingenious theorist to bestow on a Constitution planned in his closet or in his imagination?"

If there is any secret in the general political success of our branch of the human race, it is that its political methods have been institutional rather than legislative. Its general method has been to allow the institutions of a country to grow up simply and naturally, and then, when the growth has come fully to maturity, to fix it permanently in legislation or constitutions. The production of a brand-new constitution, as a remedy for evils, however pressing, has regularly been left to peoples more optimistic or less experienced in political development. The insistence of English and American lawyers on custom as the origin of law is but a phase of the purely political methods of their stock. Jurisconsults may object to the statement as a philosophical derivation for human law; but it remains true, at least, that English-speaking peoples, in 1787, had found no surer or safer process for the remedy of existing evils than to bear them patiently until a silent and almost unconscious popular development should bring the remedy into proper shape to be moulded into law, organic or legislative. In this point, the Convention of 1787 was merely following closely the whole line of political development among English-speaking peoples. It started the country on its first century of national life with a Constitution which was no empty product of political theory, but which had really been "adequately discussed, and the results of discussion tested by experiment."

How far has the century witnessed a change, whether we consider it a degeneration or not, from the political methods of 1787? So far as the Amendments to the Constitution itself are concerned, they have been so few that it is not easy to answer the question. It is certain, nevertheless, that our effort to *force* institutions upon the enfranchised class of our population, however consonant with abstract justice, has been a political failure, even though it has been "imbedded in the Constitution"; and that we have pretty generally come to the conclusion to wait patiently until the institutions which we desire grow up naturally. That a great democracy, in the first flush of victory, and in the first flush, as well, of its consciousness of its own power, should deliberately decide to allow itself to be balked of its will rather than sacrifice the American phase of "home rule," which experience has shown to be essential to the maintenance of a single government over so large an area, argues a soundness in the political sense of the American people perhaps greater than that which marked the Convention of 1787.

So far as the interpretation of the Constitution is concerned,

much the same thing may be said with fairness. Interpretations, it is true, have varied from to time; even the minds of individuals have changed. Jefferson was a Free-trader in 1787, a Protectionist in 1816, and no one can say what in 1820. Hamilton argues against protection in the *Federalist*,* and within six years is writing the Protectionist's *vade mecum*. But the general current of interpretation has been clear, and, however it may appear at first glance, has not tended to over-centralization. It is true that the Federal Government claims a larger sphere now than it did in 1789, but so, also, do the States. The Constitution at least attempted to define the sphere of the Federal Government, but left the States residuary legatees to all the developments of modern life which were not assigned to it, so that the States have profited far the more largely by the growth in wealth and civilization. One State (Connecticut) now derives two-thirds of its annual revenue from taxation on savings-banks, insurance companies, and railroad corporations, all of which have come into existence since 1787. Nor has the State spirit declined. The *Federalist* † says, calmly:

"In times of insurrection . . . it would be natural and proper that the militia of a neighboring State should be marched into another."

The proposition was carried into effect, without serious objection on this score, in the so-called Whiskey Insurrection of 1794-95: militia from eastern Pennsylvania, New Jersey, Maryland, and Virginia were marched to Pittsburgh. Let the experience of the Philadelphia militia in the Pittsburgh round-house in 1877 tell us whether it would then have been "natural and proper" to send "militia of a neighboring State" on the errand. Such an employment of the militia is no longer a measure of peaceful administration: it means

* No. XXXV., ascribed by every authority to Hamilton.—"Exorbitant duties on imported articles serve to beget a general spirit of smuggling, which is always prejudicial to the fair trader, and eventually to the revenue itself; they tend to render other classes of the community tributary, in an improper degree, to the manufacturing classes, to whom they give a premature monopoly of the market; they sometimes force industry out of its most natural channels into others in which it flows with less advantage; and, in the last place, they oppress the merchant, who is often obliged to pay them himself, without any retribution from the consumer. When the demand is equal to the quantity of goods at market, the consumer generally pays the duty; but, when the market happens to be over-stocked, a great proportion falls upon the merchant, and sometimes not only exhausts his profits, but breaks in upon his capital. . . . So far as these observations tend to inculcate a danger of the import duties being extended to an injurious extreme, it may be observed . . . that the interest of the revenue itself would be a sufficient guard against such an extreme."

† No. XXIX.

war. Local feeling, so far from decreasing, is continually finding narrower channels.

It is in legislative action that we seem in greatest danger of departure from the political traditions of the race. Such departure may be made while the legislative body is acting strictly within its constitutional right; and the temptations to it are every year more difficult to resist. Secret contracts by railroad corporations work such tremendous evils and in so short a time that it seems a mockery to ask the people to wait patiently until the exact remedy shall be evolved. Better pass something, anything, and then, by popular pressure here and yielding there, modify the statute itself into what shall ultimately seem the most fit remedy. If any departure from traditional methods takes place, it seems probable that it will be in this direction. In certain cases, custom, which is no more than a name for unconscious popular initiative, will modify the statute, instead of being its origin. There will probably be an increasing number of cases, in the growing pressure and hurry of modern life, in which such a process must be submitted to, in default of a better. And yet there will never be a time when he will not do a public service who insists on reminding the people of the traditional method of dealing with such evils. Patient waiting may show that the evils are better dealt with by natural than by legislative action. There was justice in the remark of one of our newspapers, on the breakdown of the Chicago wheat deal in June of this year, that its participants had been "fined" more than a million dollars by the natural process, instead of the paltry thousand dollars which had been proposed as a statutory penalty for such offences.

Perhaps the strongest contrast with the methods of the Convention of 1787 is in our methods of dealing with that problem of which our fathers knew little or nothing—the problem offered by the American city. If American city governments are a disgraceful contrast to the success of the American national system, it is because the American city has never had a chance such as the wisdom of the Convention offered to the new Federal Government. It is the State legislatures, with their charters and re-charters and amended charters, that have violated every canon of English and American politics. Not a member of them but has his own peculiar plan to remedy all the evils of municipal government: it has never been put to the test, to be sure, but he stands ready to guarantee its success. And, if a sufficient number of members happen to

come reasonably near to the same general idea, the charter-ridden city is subjected to a new series of political conditions, to be changed, before it can become used to them, to something better or worse, but always to something new. What encouragement is there for any attempt to develop remedies naturally, when every one knows that such natural growths are to be cut off long before they can reach their prime? There are cities enough in the United States; and, if they are ever to be anything but a blotch on our system, they must be allowed to work out their own remedies as the States have done, by individual experiment, by individual responsibility, by "proving all things, and holding fast that which is good." No other system could have produced the Constitution of the United States; no other system can do the same work for the American city.

The best reason for American pride in the Constitution lies, not in the creative genius of its framers, nor in the beauty and symmetry of their work, but in the fact that it was and is a perfect expression of the institutional methods of its people. It is for that reason that it meets their needs as well to-day as in 1787-89. So long as they shall continue in the ways of their fathers; so long as they shall regard with pronounced disfavor the political quacks who constantly beg them to hazard a trial of never-tested remedies; so long may they continue to take a just pride in their Constitution, under all its possible coming changes, as one which has been "adequately discussed," and the results of the discussion of which have been fully "tested by experiment."

ALEXANDER JOHNSTON.

SOME PLAIN WORDS ON PROHIBITION.

IT often happens that the reformer and humanitarian is tried beyond human endurance, by the perverse logic that is thrown at him, and piled up in his path. To know that men are wilfully—"against light and knowledge"—antagonizing their best interests, and at the same time obstructing the best-meant efforts of disinterested benevolence made in their behalf, is a great aggravation of the intrinsic troubles which beset almost every attempt to do good by removing great evils. In this day and generation, nothing that good men have attempted in the way of unmixed blessing to the human race has illustrated this vicious and amazing perverseness so much as the hostilities which have been waged against temperance reform.

An argument so one-sided, it would seem, calls for nothing less than a "confession of judgment" upon the part of those who are pitifully placed in the position of victims, or promoters, or defenders of the use of intoxicants. But so far from this, we behold men of all grades of influence and social rank, of all shades of belief and scope of intellect, of all professions, alas! rushing to the defence and rescue of a monster vice that, in its huge sin and desolation, we might place in righteous estimation before "war, famine, or pestilence." The advocates of prohibition in its appeal to society say: "Our alliance is first with the Bible. We stand upon the impregnable rock of Holy Writ." Here the argument ought to end for the conscience and conduct of all men who profess to be Christian believers. But at every step the reasons for prohibition gain force and attract auxiliaries. What have men to urge in favor of those nine hundred millions of treasure which, it is said, are swallowed up every year in the United States by the vice of "strong drink"? What economic excuses do they render for the frightful diversion of this sum from permanent benefactions and charities, which, if properly founded and administered, might make a heaven of the country? How do they harden their hearts against the incidental, or, rather, the inevitable, woes which follow close on the heels of this wasted mountain of money? Can men who have a stake in the common

weal, who have a patriotic pride in the dignity and advancing glory of their country, or are moved by the very instinct of paternal love and solicitude, find any plea that can bear for an instant the test in the crucible of reason and duty, for opposing the temperance movement in the shape of prohibition. We will not exhaust the frightful census of crime, destitution, and waste of time, nor consider the money value of all this, in what we have to say here in our advocacy of prohibition. The courts have spoken very conclusively as to the proportion of criminal cases on their calendars which owe their origin directly to intemperance, and the cost of these in money to the tax-payers of the country. No court, unless it be the one above—the High Chancery of Heaven—can give a true account of the loss and tribulation to the human character and heart that every hour of our existence fall upon us from the use of “strong drink.”

But what do we hear from the other side, when, with due solemnity, it is called upon for reasons for tolerating the stupendous evils of which we complain?

First in importance among the arguments with which temperance reformers are confronted, stands the stock sophistry of “sumptuary laws.” This, being interpreted, means that the Government has no right to say what we shall eat or what we shall drink. But, if this is sound reasoning, what is to be said about our inspection laws? What right has the State to say that no man shall sell a kit of mackerel or a barrel of flour before it bears the branded permit? Why force the druggist to label every drachm of morphine he doles out as “poison,” and why say to the butcher, who proposes to render his fats and suets into savory “oleomargarine,” that he sins against society, and must be taxed into respect for the superior claim and product of the churn? If the “greatest liberty to the greatest number” is the real essence of right government, and is, at the bottom, its last and truest analysis, why interfere with games of chance, and repress the natural quest that men are ever making for the excitement that “drives dull care away”; except for the reason that, when a man stakes and loses his money on a game of “faro” or “poker,” he robs his family, and contributes to the maintenance of a set of men who are cumberers of the ground and dead weights upon society. And how naturally this train of thought suggests the repressive enactments against the “social evil,” which the decent moral sense of the community and

its instinct of self-preservation allow to stand without challenge or reprehesion.

And yet, when the broken-hearted and beggared wives and children, made so by liquor drinking, whose wails for bread and shelter are everywhere heard, ask for a part of this defensive legislation that has long ago gone into irreversible precedent, the cry is raised, "You are trenching on human freedom, and are introducing a 'sumptuary law, which, at some day in the future, will justify any other exercise of intermeddling or any other phase of paternal government." It was not a satirical pleasantry when it was said that a petitioner to the old Tempter asked that his enemy might be destroyed by making him a robber or a murderer or a "wife-beater," until the reply came, "Make him a drunkard, and he will represent the rôle of either character or all of them."

The economic arguments, the arguments in behalf of domestic peace and happiness, the arguments in defence of man's dignity, of his intellectual powers, of his moral status—all, all are on the side of the prohibitionist. It would seem that this view of the subject ought to be conclusive, and that all else that might be said could only be cumulative and subordinate. But, in spite of all, the liquor seller and the liquor drinker, with dreary iteration, come to the front with this apology of an argument, and confront and *reproach* us, too, with the plea that the prohibitionist denies the free use of a man's liberty in eating and drinking what he lists, and insists on using the coercive power of law to effect that which should be left to moral suasion alone.

There is a dangerous plausibility in this statement of the case; so that in many instances good men and professing Christians are misled by it. But the answer to the appeal to "moral suasion" is that no Christian State, no municipality, no, not even a family in Christian society, will hesitate, when occasion demands, to subsidize "moral suasion" by pains and penalties. Appeals to a man's conscience, even those made to his instinct of self-preservation, fail to alarm and deter; and this is happening every instant where the temptations of appetite assail the weakness of human nature. Why, in all fairness, let the temperance reformer ask, do we not leave murder and arson and theft and adultery, and all the rest of the hideous catalogue of crime, to be dealt with by the omnipotent power of moral suasion? You hang the murderer, you imprison the burglar and the incendiary, for society sees its advantage in powerfully

subsidizing "moral suasion" with the gallows and the penitentiary, when it comes to crimes like these. Yet, when the friend of prohibition, with a wise forecast, pleads for the prevention of crime; when he says, "Take away that demon of strong drink which abets and instigates all sorts of outrages against law and order," the cry is raised, "Depend on the preaching of the Gospel and appeals to man's better nature—on appeals to his true interests."

If we were not confronted with this strange and inconclusive talk at every turn, we could not believe that grave and earnest-minded men could resort to it in dealing with a subject of such vast proportions as that of prohibition.

There is the right of self-protection left with every State and community, as well as with every individual, and well will it be for the world when this right is exercised in the prevention of evil rather than in its redress. We can see, when others only are concerned, and our own appetites and interests are not involved, how wise and proper a thing it is to stretch the rod of authority between destructive indulgence and its victims. What feeling heart is there beating in a true man's breast that does not glow with indignation at the recollection of the "Opium War"; that war by which the leading Christian nation of the earth sought to force a deadly drug on a so-called heathen people, which was struggling with all the powers of a well-meaning government to save itself from the poison's destructive effects.

If the question of prohibition were one of "first impressions" few men would hesitate in taking sides for it. But because wine drinking is an old thing, and alcohol a life-long companion, men seem to think that a dear, if not a sacred, right is stricken down when these "spirits of evil" are challenged, and obstructed in their fearful work. But challenged and obstructed they will, they must, be. Old as the saying is, it will bear repeating until the "crack of doom," that "Truth is mighty and will prevail." Our history, brief as it is, abounds in examples of the irrepressible power of public opinion.

No agitation in our day has shown such extreme transitions as this very subject we are discussing. About forty years ago, in advance even of Maine, I believe, Georgia led off in the crusade for temperance and against the grog-shop. One of her best and most splendid minds took the lead in the good work. But high as he stood in the estimation of all proper men, his reputation could not

shield him from the ridicule and positive disrespect which at length drove him from the field. Proud as temperance reformers are at this hour of the final triumph of the great cause in the State of Georgia, their exultation is chastened by the memory of the rebuffs that were suffered by Chief-Justice Lumpkin in his labors to free his native State from the disgrace and degradation of drunkenness. Yet from this gloomy beginning, the seed that the noble patriot scattered has brought in at last a harvest which gladdens the heart of every one whose "good-will to men" enables him to rejoice at the exaltation and happiness of his race; and now that nearly the whole State has declared for prohibition, the grateful heart of her people is ready to raise imperishable monuments to those true and brave men—Dabney Jones, Josiah Flournoy, and Joseph Henry Lumpkin—who inaugurated a movement that reflects such glory on her.

Let us pause for a moment and ask, when has any form of moral endeavor in our day been attended with such indications of Providential recognition and support? It would seem, in view of all the conditions under which the prohibition organization had to work, that there never was so "forlorn a hope." In fact, can we say that there was an organization? There may have been elements of it here and there in certain centres of wealth or social influence; but, as a general thing, the conscience and great heart of our people leaped to the grandest of all the conflicts of modern times with a spontaneity which resembled inspiration. In certain portions of the Union the women, unbidden, came to the rescue, when such participation in matters of public suffrage was a most unwonted and startling exhibition. These blessed ministers of good were not content with tears and entreaties. Believing in "moral suasion," they stood by the polls after going out from their prayer-meetings, and tens of thousands of "wet" ballots were torn into scraps, as the vote for temperance and rescue was held out by the hand of the tearful mothers and wives, gathered before the ballot-boxes.

The man who wishes to be "let alone," and who chafes at the fanaticism that holds any sort of a bridle up to his gaze, will treat all this as an exhibition of sentimentality fit to be despised. We give a sample of this manly stoicism and contempt of gush, furnished by the head lines of a paper of great and merited influence, in introducing its account of the result of the prohibition vote in Rome, Georgia :

"Prohibition Victory—Remarkable and Disgusting Scenes at the Voting Places in Rome, Georgia—The Question of Selling Liquor Submitted to a Vote of the People—Women and Children gather at the Court-house and Blum for their Ticket—The Fanatics' Victory followed by Hymns of Thanksgiving and Prayer."

Now we give a part of the text which called forth this commentary :

" By five o'clock in the morning the leading prohibitionists and anti-prohibitionists had assembled at the Apollo. Among the former were scores of Rome's fairest daughters, and a large number of children. The ladies and children took their stand in front of the Court-house, a little to the left of the entrance, and here they remained with tireless patience throughout the entire day. It was a remarkable scene. Here were aged mothers whose hair was silvered with the frosts of years, young maids as well as matrons, and lovely children, all deeply interested in the result of the great contest. Many men, who ascended the Court-house steps holding anti-prohibition tickets in their hands, wavered when they faced this living bulwark of women, and voted the prohibition ticket given them by fair hands. The presence of the ladies gained, at a moderate estimate, at least 100 votes for the prohibition cause. The singing of familiar hymns was a feature of the day's incidents,— . . . When the clock struck six the scene at the Court-house was indescribable. It was known that prohibition had certainly carried the day, and that it was only a question of majority. Probably 1,000 men, women, and children were assembled in and around the Court-house, and cheer after cheer rent the air. Many were overcome with emotion, and wept. Such a scene was never before witnessed in Rome. Suddenly there was a hush and, with Doctor Kendall and J. R. Gibbons as leaders, the vast throng sang, ' Nearer, my God, to Thee,' followed by the Doxology. After the benediction the great crowd slowly dispersed. The returns were coming in to the Court-house all night. Hundreds of people were present, but perfect order prevailed. Notwithstanding the great excitement not a single disturbance occurred."

Now, it has long been a canon in criticism, that "there is no disputing of tastes," and under the protecting shield of this postulate I will admit, notwithstanding the crushing head-lines already quoted, that this account of the Rome election brought tears to my eyes. In its unpretending narrative of a great event there was a pathetic element not often exceeded, and a presage of what is coming. Let the women of these United States take a stand for a great cause, fortified by the lofty and potential motives and hopes that mark the temperance agitation, and we may as well make up our minds to see that cause triumph.

It gives the friends of prohibition a pang of mortification akin to pity, to be obliged to answer the *financial* argument of the saloonist and advocate of free liquor. The stock argument of the antiprohibitionist, probably ranking that other portentous one of

“sumptuary laws,” has been the one of pecuniary loss to any community that should vote for liquor exclusion. It has been said, just before every election, that a vast amount of capital, till then profitably employed in the liquor trade, would be driven out; that, incidentally, the hundreds of houses rented for the traffic would be taken possession of by rats and bats; and that the hundreds of men who tended the man-traps would be hopelessly shut out from useful employment.

In fairness and honest dealing, will the advocates of free liquor point to the one solitary, authenticated case where these direful results have followed prohibition? Take the famous case of Atlanta. Here was a city of 60,000 inhabitants, that boldly entered this contest, and while not at all regardless of consequences, was yet willing to meet them. Perhaps as much as a million of dollars was invested in the liquor trade by her citizens, among whom were men of most exemplary character and high respectability. The houses for dribbling out the pestilence numbered, probably, 150; and liquor selling and liquor drinking had about as fair prospects in Atlanta as one would easily find in any other city of like population. The nerves and faith of temperance men were severely tried by the predictions of the ruin that was to follow “fast and follow faster” upon the triumph of sobriety and the suppression of that chief boon among “human rights,” the privilege of becoming intoxicated whenever it so pleased. Notwithstanding these fearful vaticinations, the friends of temperance took the risk of all the harm that was to come of doing right, and making men better, and rendering unhappy women and children more resigned to their lot. The victory achieved at the polls did not end by any means the labors of the Atlanta prohibitionists. For months after the contest closed, these wearied toilers were kept busy answering inquiries from every part of the Union, as to the extent of the material damage which had followed the city’s exclusion of the liquor traffic. The old argument, killed as it had been by the facts of the case, was constantly resurrected, and was made to do service in many a succeeding temperance campaign. The tale of Atlanta’s downfall, Atlanta’s expelled capital, her empty stores, and her coming desolation was dinned into the ears of the friends and foes of temperance reform, until men’s patience was exhausted. At last we have been liberated from all these tests of our patience by the ponderous blow delivered by the hand of ex-Mayor Hillyer on his retirement from

the post he had so splendidly filled. In his report to council, upon taking leave of the mayoralty, we have this attestation, which the public may receive as the word of a man absolutely above reproach :

“ PROHIBITION.

“ I have lately had occasion, as you may remember, in a message to this body, relative to the sale of beer in the city, to speak somewhat at large and with emphasis on the all-important subject of prohibition, which renders it unnecessary that I should elaborate— at this time. What I then said seems to have met with almost universal approval or acquiescence. If any single statement has been challenged it has escaped my eyes or attention up to this time. In this high presence, I here bring the testimony down to date, that the city, collectively, was never in better condition than she is to-day, and that our people as individuals have very greatly prospered, both materially and morally, since prohibition was adopted ; that their progress and improvement moves with an accelerated pace as time goes on, and that the end of the year just closed found our people more advanced therein than ever before. It has been claimed, when the existence of this prosperity here in our midst, where people know the facts, can no longer be denied, that it would have been greater but for prohibition.

“ That is an easy thing to say, but it would puzzle an objector to prove it.

“ Allusion has been made in print to alleged prosperity in other cities where the liquor traffic is still tolerated. I assert confidently that Atlanta has prospered more than any of them in our State, and I think it highly probable that Atlanta has, during the last two years, advanced and increased more in houses built, and population, and in the general elements of prosperity, than all five of the next largest cities in Georgia, that hold on to the bar-rooms, put together. Is there any other city, where they have bar-rooms, that has a surplus of over \$225,000 in the treasury, on a clean balance-sheet, at the end of the year, and can sell 4½ per cent. bonds at par ?

“ If I had found the city free from bar-rooms, and was retiring with bar-rooms re-established in it, I would be a miserable man the balance of my days. I found the city with nearly one hundred and thirty bar-rooms. I leave it with none.

“ When I remember the acrimony and fierceness of the contest by which the result came about, but that not a solitary tragedy, or riot, or anything to bring reproach on the good name of our fair city occurred ; that wounded feelings have healed, and all are again practically united, I am thrilled with pride to be one of such a people, and with gratitude to the Giver of all good, who holds our destinies in his hands, and who doeth all things well.

“ There are a few persons you cannot satisfy, no matter what you do. If we had come out short in the finances of the city, they would have said prohibition had ruined the revenues. If we had come out about even, they would have said it was by a close shave ; and as we have come out of the year's work in better condition than ever before, they are ready to say we have too much money. You might as well try to catch a 'will o' wisp' as keep up with such objections. We have carried the city through the stormiest time in her civil history, and the great heart and brain of Atlanta rejoices in her prosperity, and will applaud and congratulate you on your success.”

By most of those who wish impartially to discuss the practi-

cal working of prohibition, this dispassionate record of facts by ex-Mayor Hillyer will be taken as a very forcible document. Temperance men throughout the Union should, in all fairness, be allowed to enjoy the advantage which the experiment of prohibition in Atlanta has given them, for there can be no doubt concerning the disastrous influence which its failure would have exerted. That failure would have been welcomed and quoted by the advocates of free liquor, and would have told with crushing power against all subsequent attempts at temperance reform.

Nothing is left now to do but to enforce the law. It fills our hearts with apprehension for the well-being of our land when the news comes to us that in certain sections of the Union prohibition cannot be enforced. It produces a strange confusion of ideas to hear men assert that there is power to enact laws but no power to reduce them to practical effect! And such laws! Laws made to pluck men from the profoundest abyss of degradation; laws which immediately begin the work of disinthralment from indulgences that with inevitable certainty overwhelm in ruin those who yield to them; laws made in behalf of victimized mothers and children—these, it would seem, might find, in a Christian land, and in one vaunting the most advanced civilization, material power enough to vindicate their majesty.

We have purposely reserved, for the concluding words on the great subject under discussion, the inquiry, addressed to all, advocates and opposers, "What wrong, what hardship is inflicted by submitting the settlement of the liquor controversy to a vote of the people"? We are not "begging the question" when we state the case in this form; for unless it be shown that there are certain indefeasible rights assailed by prohibition, which are natural and absolute in their character, it cannot be said that we take for granted what ought to be proved, in asserting that liquor exclusion, by the suffrage of those interested, is a fair exercise of power. What can the saloonist say to the retort of the prohibitionist who answers, "You say, 'I have no right to deny you the privilege of becoming intoxicated or of making others so,' then where is your right to impose on me and mine your noxious example and its revolting demonstrations? If you cannot submit to the beneficent rule of temperance which I would enforce, how can I endure the galling imposition of drunkenness which you instigate and defend?" There

is one way out of this trouble, we have found, after years of searching and sifting, and but one. Let us, in true democratic style and spirit, leave the matter to the majority, and bide what comes. The secret of the opposition to this perfectly fair adjustment of the quarrel is an open one. It matters not though glossing sophistry, backed by millions of money, may contest the field, though phrenetic appetite may plead and demur, and though a morbid impatience of all restraints may declaim about human liberty, all will be of no avail, for prohibition has reason, religion, refinement, good order, and peace for its advocates and champions.

And last, but oh! how far from least, the blessed charm and influence of woman are for it. To all the sordid, cold-blooded suggestions of pecuniary loss, of closed grog-shops and curtailment of rents, of shrinkage in municipal revenue, stand opposed her appeals, which reach to the profoundest depths of every soul. Her cries, which for weary years were heard hardly anywhere else than in heaven, after entering the ears of the "God of Sabaoth," are now heard on earth. Will we not all soon join that exultant band that, the other night, in Rome, with bounding joyousness sang "Nearer, my God, to Thee," and "Praise God from whom all blessings flow"?

A. H. COLQUITT.

AMERICAN AUTHORS AND BRITISH PIRATES.

Now and again, in this country, when we see on every news-stand in every street, and at every railroad-station, half a dozen or half a score rival reprints of *Called Back*, or of *King Solomon's Mines*, or of *Dr. Jekyll and Mr. Hyde*, we have brought before us with burning distinctness the evidence of the great wrong which American pirates have done and are doing to British authors. But from the nature of things, here in these United States, we cannot see as clearly the great wrong which British pirates have done and are doing to American authors. As most American publishers now deal fairly with the foreigner, and treat him as though he were a native, despite the fact that they have no protection against the competition of any freebooter who may undersell them "because he steals his brooms ready-made," so there are also many honorable publishing-houses in Great Britain, which scorn to take what is not their own, and which have direct dealings with the author whenever they wish to issue an American book. Yet there are also in England now not a few publishers who are quite as bold as the American pirates; and, as we shall see, sometimes more unscrupulous and unblushing than these. In the past there have been fewer American books worth stealing, and the traditions of the publishing trade in England have not fostered a needless reliance on the foreign author; but, when all allowance is made, it is to be said that the British pirate is not at all inferior in enterprise to the American pirate, nor is he more infrequent.

It is to this great and increasing piracy by British publishers that I wish to direct attention, and I need say little now about the kindred plagiarism by British writers at the expense of American authors. I have no desire to dwell on strange cases like the bare-faced borrowing of part of one of Mrs. Wistar's adaptations from the German, by the Rev. S. Baring-Gould, for use in a translation purporting to be his own work, or on the inexplicable appropriation, by the Rev. Sir George W. Cox, Bart., of the *Young Folks' Cyclopedia of Common Things*, devised and prepared originally in this country by Mr. John D. Champlin, Jr. Discreditable as were both of these

affairs, there is no need now to linger over them or over others like them, be they more or less common ; although I may set down an impression that this sort of plagiarism is more frequent in Great Britain than in the United States ; partly, if for no other reason, because it is easier there than here, as they know less about American books in England than we know about English books in America, and so there is less danger of detection and exposure. But the plagiarism of British authors and the piracy of British publishers are separate ; and it is only the latter that I have space to consider in these pages. Yet it may be noted that neither of the plagiarisms mentioned—Mr. S. Baring-Gould's and Sir G. W. Cox's—would have been ventured if the American authors had been protected in England by copyright.

In November, 1876, Longfellow wrote to a lady in England whose works had been republished in America without permission or compensation :

“ It may comfort you to know that I have had twenty-two publishers in England and Scotland, and only four of them ever took the slightest notice of my existence, even so far as to send me a copy of the books. Shall we call this ‘ chivalry ’—or the other word ? ”

Twenty years before Longfellow penned these words, in August, 1856, Hawthorne recorded in his *English Note-Books* that he paid a visit to a leading publishing-house in London, and “ saw one of the firm: he expressed great pleasure at seeing me, as indeed he might, having published and sold, without any profit on my part, uncounted thousands of my books.” It would be difficult now, thirty years after Hawthorne made this entry and ten years after Longfellow wrote this letter, to number all the British editions of the most popular works of Hawthorne and Longfellow ; and nearly all of these editions are pirated. Longfellow's poems are included in almost every cheap “ Library ” issued in England ; and one or another of Hawthorne's romances, the *Scarlet Letter*, or the *Transformation*—as the English publisher miscalls the *Marble Faun*—is always turning up in English catalogues, even in the most unexpected collections.

Of late years, and especially within the last twelve months, there have been many reprints of Emerson's chief books. Before Mr. Lowell was appointed minister to England he was known there as the author of the *Biglow Papers*, as a humorist only, and in the main as a rival to “ Artemus Ward ” and “ Josh Billings ”; now there are

various editions of his serious poems and of his criticisms. In like manner the visit of Doctor Holmes to London last summer called forth a host of reprints of his prose and of his poetry. Not long before he had been represented chiefly by a book called *Wit and Humor*, a selection from his lighter verse, and by half a dozen editions of the *Autocrat of the Breakfast Table*, in one of which he was subjected to the indignity of an introduction by Mr. George Augustus Sala!

The annual lists of most of the British publishing-houses are to be found bound together in the *Reference Catalogue of Current Literature*, issued by Mr. Joseph Whitaker. A copy of this *Reference Catalogue* for 1885 lies before me as I write; and an examination of its pages has yielded much curious information. For an American the book abounds with "things not generally known"; and to an American author, or, indeed, to any American who believes that the American author is a laborer worthy of his hire, it offers what Mr. Horace Greeley called "mighty interesting reading."

Let us glance through the catalogue of Messrs. Frederick Warne & Co., a house which devotes itself chiefly to the dissemination of cheap books, and which has a habit of grouping a large proportion of its publications into series. One of them, "Warne's Star Series," contained, in 1885, ninety-one numbers, and of these I have been able to identify thirty-six as of American authorship; among them are *The Wide Wide World*, *The Prince of the House of David*, *That Lass o' Lowrie's*, *Uncle Tom's Cabin*, *Little Women*, *Ben Hur*, and six of Mr. E. P. Roe's stories. The publishers, with fine irony, announce that "Warne's Star Series" is "a popular edition of well-known books, many copyright." Another series, called "Warne's Select Books," contained nineteen numbers, and of these all but two were by American authors, including Miss Cummins's *Lamplighter*, and three stories by Mr. E. P. Roe. In the most important of the collections of this house, the "Chandos Classics," a "series of standard works in poetry, history, and general literature," four American books were to be found—Longfellow's poems, and Hawthorne's *Mosses from an Old Manse*, *Twice-told Tales*, and *Tanglewood Tales*.

Chief among the rivals of Messrs. Frederick Warne & Co. in the pleasant and profitable work of introducing American authors to the British public without so much as a by-your-leave, are Messrs. Ward, Lock & Tyler. They, too, have their several series. One of these is the "Home Treasure Library," as to which we are informed that "it is the intention of the publishers that a tone of pure morality and

lofty aim shall characterize the whole of the volumes in this library." Of the thirty-eight volumes in the "Home Treasure Library," thirty were written by American authors, including Professor Ingraham, Miss Alcott, Mrs. Whitney, and Miss Wetherell (from whom six books have been borrowed). Into the "Good Worth Library" the publishers kindly inform us that "no works have been admitted in which the three requisites for good worth in a book—namely, the promotion of knowledge, the furtherance of wisdom, and the charm of amusement,—are not combined"; and an examination of the catalogue of the "Good Worth Library" reveals that the British publishers found the three requisites in at least seven American books, by Mr. Beecher, Mr. Channing, Mr. J. T. Headley, Mr. T. T. Munger, and Prof. William Mathews.

A third series is the "Good Tone Library," and "the publishers"—so they tell us—"have not bestowed this title on a series of books without good reason," since "the volumes included under this head are those really high-class works which are most calculated to elevate the mind and give a high tone to the character." It speaks ill for English literature when we find that there are only a score of these high-toned books, and that all of these, excepting only three, have been forced across the Atlantic as foreign missionaries. Miss Alcott's *Little Women* is No. 15, and No. 16 is *Good Wives*, a "sequel to above"—a typical example of the willingness of English publishers of a certain type to alter the titles of American books without right or reason. Another example of this pernicious custom can be found in yet another collection issued by Messrs. Ward, Lock & Tyler, a series of "Favorite Authors," in which we discover not only Mr. John Habberton's *Helen's Babies* and *Other People's Children* (in one volume), but also accredited to the same author *Grown-up Babies* and *Other People*, a book not to be found under that name in any American catalogue. There are twenty-seven volumes of "Favorite Authors," and of these seven by American authors have been impressed by a process as harsh as that which caused the War of 1812. In Messrs. Ward, Lock & Tyler's "Select Library of Fiction," now extending to nearly four hundred volumes, written mostly by the cheaper contemporary English novelists, there are more than thirty volumes captured unwillingly and unwittingly from writers who were born on this side of the Atlantic. In this "Select Library" are four volumes by "Max Adeler," two by Doctor Holmes, four by Mr. Bret Harte, one by Nathaniel Hawthorne, four by "Mark Twain," one by

Mr. Henry James, two by Cooper, one by Doctor Holland, two by "Artemus Ward," one by Mrs. A. D. T. Whitney, two by Dr. W. S. Mayo, one by Edgar Allan Poe, and one by "Sophie May." Many translations from French and German novelists are also included in this "Select Library," and I think it highly probable that some, if not most of them, are reprinted from translations made in America.

No doubt, this condensing and copious extracting from catalogue after catalogue may be monotonous to many readers; but it is only by the cumulative effect of iteration that the rapacity of the British pirate can be shown; and I have no hesitation in continuing the dissection of Messrs. Ward, Lock & Tyler's lists. They publish also "The People's Standard Library," and declare that "the volumes included in this series have made for themselves a place and a name in English literature which will last as long as the language endures. No library can be considered complete without them." In 1885 there were less than one hundred volumes in "The People's Standard Library," and of these nearly twenty were of American authorship. Among them were the poems of Longfellow, Poe, Lowell, and Whittier. The proportion of American books in this library was smaller than in most of the other similar series issued by the same publishers. Perhaps this proportion is largest in the "Lily Series," which contained seventy-nine books, of which not more than nineteen can be ascribed to English writers—and of the nationality of some of these nineteen I am not at all sure. We should take it as a high compliment to the morality of American novelists that they supply three-quarters of the "Lily Series," since "the design of this series is to include no books except such as are peculiarly adapted, by their high tone, pure taste, and thorough principle, to be read by those persons, young and old, who look upon books as upon their friends, only worthy to be received into the family circle for their good qualities and excellent characters. In view of this design, no author whose name is not a guarantee of the real worth and purity of his or her work, or whose book has not been subjected to a rigid examination, will be admitted into the 'Lily Series.'" Miss Alcott and Miss Phelps, "Marion Harland" and "Fanny Fern," Mr. E. P. Roe and Doctor Holland, Mr. Aldrich and Mrs. Burnett, Professor Ingraham and the late T. S. Arthur, are among the American authors whose books have passed the rigid examination. And in like manner Mr. Beecher, Dr. William Mathews,

Mr. George Cary Eggleston, and other Americans supply about half of the volumes of the "Friendly Counsel Series," the object of which is "to spread abroad for the reading public the good words of the present, and preserve for them (*sic*) the wisdom of the past."

Yet two more of Messrs. Ward, Lock & Tyler's collections call for comment, and I am done with them. These are "Beeton's Humorous Books" and "Ward, Lock & Co.'s Series of Popular Sixpenny Books." There are about eighty of "Beeton's Humorous Books," and between sixty and seventy of them are American. The English publishers have not only taken the liberty of reprinting these books, they have also allowed themselves the license of re-naming them at will. Mr. C. D. Warner's *My Summer in a Garden* is called *Pusley*, for example; and there are three volumes credited to "Mark Twain" under titles which he never gave them, *Eye Openers*, *Practical Jokes*, and *Screamers*. "Artemus Ward" and "Hans Breitmann," Mr. Aldrich and Mr. Bret Harte, Mr. Lowell, Mr. Saxe, and Doctor Holmes furnish many other of "Beeton's Humorous Books," and Mr. John Habberton provides, perhaps, more than any other author—eight. Mr. Habberton is also a frequent involuntary contributor to "Ward, Lock & Co.'s Series of Popular Sixpenny Books," in which we find a full proportion of American works, including Professor Hardy's *But Yet a Woman*, Mrs. Anna Katherine Green's *X. Y. Z.*, Mr. Harris's *Uncle Remus*, and the anonymous *Democracy*—a book any American may well regret to see popular in England at a sixpence or at a guinea.

Not unlike certain of these series published by Messrs. Ward, Lock & Tyler are several of the series issued by Messrs. J. & R. Maxwell. Their "Illustrated Merry Folks' Library," "in penny books, each book complete in itself, and containing thirty-two pages of matter full of fun and frolic, wit and wisdom, and of comic cuts," seems to extend to fifty-two numbers, of which apparently almost every one is attributed to an American author, although the titles of some of these works will, no doubt, surprise those who are only privileged to read American literature in America. I do not think I exaggerate when I say that the most devoted admirers of these authors are unacquainted with *Tid Bits*, by Mr. Bret Harte; with *Rich Sells and Horrid Hoaxes*, by Mr. John Habberton; with *Fie, Fie, you Flirt*, by Mr. J. G. Saxe, and with *Yankee Ticklers*, by Doctor Holmes. Messrs. J. & R. Maxwell are also the publishers of another collection, which is closely akin to this in subject and authorship,

and to which they have humorously given the singularly inappropriate name of "The Britannia Series."

It is understood that Mr. J. Maxwell, the senior partner of this firm, is now the husband of the lady known in the history of English prose fiction as Miss M. E. Braddon, a lady who has been loud and frequent in her protests against the misdeeds of the American pirates in reprinting her books exactly as she wrote them, and by the titles she gave them. It is difficult to imagine just what Miss Braddon would have said had her *Lady Audley's Secret* been included in some so-called "Columbian Library" as *The Mystery of a Naughty Girl*. There is here an inconsistency in Mr. Maxwell's attitude. But it is best not to criticise these inconsistencies too severely, or what should we be forced to say to those newspapers in New York, for instance, that advocate international copyright in their editorial columns, while unhesitatingly helping themselves to short stories from the latest English magazines for use in their usual Saturday or Sunday supplements?

In one of the always acute and admirable offhand speeches, of which he made many while in England, Mr. Lowell referred to the community of blood, of law, of language, and of books existing between Great Britain and the United States, and said that this last community—that of books—was one "as to which some English authors are not so sensitive as they should be to the doctrine of universal benevolence." There are many American authors in like manner lacking in universal benevolence; and when they see three, and five, and seven rival reprints of one of their books in England, from most of which they reap no reward, they are ready to develop an Anglophobia perilously near to misanthropy. Here is an anecdote in point. Messrs. Warne & Co. have reprinted in England the series of "Night-Cap Stories," written by "Aunt Fanny" (Mrs. Barrow), "without the permission or payment of the author," so a friend of hers writes to me:

"When in London, Mrs. Barrow called on the publishers and was received with great politeness. She expressed her desire for a set of the English edition to take back with her to America, and was answered that they were quite ready to let her have the copies she required—at the published price. 'But that is not what I mean,' the American authoress responded; 'you have sold many thousands of my books and I have never received a penny. I would like at least to have a set of the books to take home with me to New York.' And again she was told that they would be happy to give her the volumes—on receipt of the price. Mrs. Barrow departed indignantly, without even a complimentary copy of her own books."

Mr. Noah Brooks's *Boy Emigrants* was reprinted in England, by the London Religious Publication Society, which paid the author a trifling sum for writing an introduction, but never proffered a penny for the book itself, although its managers boasted that they had sold more copies in England than were issued in America. Throughout the book dollars and cents were changed to pounds, shillings, and pence—yet none of the latter ever reached the American author. Other similar changes of a minor character were made here and there. They then had the impudence to propose to Mr. Brooks to write an introduction to his base-ball story, *The Fairport Nine*, and they would take that also and change the game to cricket! Mr. Brooks, in sending me these facts, added that he had in his possession a pirated British edition of one of Mr. Bret Harte's books, to which is prefixed—as original—a biographical sketch of Mr. Harte contributed by Mr. Brooks to *Scribner's Monthly*.

Of Mr. O. B. Bunce's ingenious little manual of manners, *Don't*, three editions were issued in England. They had a large sale—I can remember that one summer I saw one or another of them at almost every railway book-stall I noticed—but all that the American author received from the three English publishers was a single five-pound note. I believe, also, that at least one of the editions was adapted to suit the English taste and the exigencies of that perversion of our common language which is now spoken in Great Britain and her colonial dependencies.

Mr. John Habberton's amusing study of juvenile depravity, *Helen's Babies*, appeared in nine reprints in England and Scotland, and for only three of these did the American author receive anything, although application was made to the publishers of all. One day, three years after the first issue of the book, several copies of a penny edition reached Mr. Habberton by mail—with postage overdue. Other of the same author's books, which appeared almost immediately after *Helen's Babies*, were reprinted by many of the same English publishers with little or no reward to Mr. Habberton; and he has suffered, besides, from the predatory invasions of two publishing-houses in Canada and two more in Australia. Warned by his early experience, Mr. Habberton now sells advance-sheets to Messrs. Routledge & Co., but even this does not always deter the pirate. Part of the sequel to *Helen's Babies*, called *Other People's Children*, was issued serially in New York before the publication of the whole book in London; and these earlier chapters were reprinted by

Messrs. Ward, Lock & Tyler, under the proper title, the remaining chapters being condensed into three or four pages at the end. The authorized edition issued by Messrs. Routledge & Co., published at two shillings and sixpence, was thus forced into a ruinous competition with the mutilated and incomplete piracy. It is, perhaps, not to be wondered at that Mr. Habberton concluded the letter in which he kindly furnished me these facts, with the following reflection:

"A missionary among the London poor tells me that the most to be expected from the lower class is that they will wash their faces and stop stealing; experience leads me to believe that the average British publisher has got only half-way up to the lower class."

The experience of the late Doctor Holland with one of his books was singularly like that of Mr. Habberton with *Other People's Children*. The English courts have held that under certain circumstances prior publication in Great Britain will give an author copyright in England, whatever his nationality may be. Thus, by publishing the whole of *Other People's Children*, as a book, in England before the end of the story was published serially in a periodical in America, Mr. Habberton endeavored to protect his work—not altogether successfully, as we have seen. In like manner, Doctor Holland had caused the number of *Scribner's Monthly* for September, 1873, to be issued in London before it was published in New York, and this number contained the final instalment of his story, *Arthur Bonnicastle*. The earlier chapters were not brought under the protection of the English law, and Messrs. Ward, Lock & Tyler took advantage of this to include Doctor Holland's book in their series of "Favorite Authors, British and Foreign," condensing the contents of the final instalment into less than two pages of barren paraphrase, and defending this outrage on literature in a preface of eleven pages. The titlepage of their edition sets forth that it is "Arthur Bonnicastle. By J. G. Holland, author of 'Timothy Titcomb's Letters,' etc. (The concluding chapter by another hand.) With a Preface to this Particular Edition." This preface was signed by one S. O. Beeton; it is of an impudence as amazing as it is amusing. Two points in this Mr. Beeton's special pleading may be noted; on page xiv he appends a note of tearful regret for John Camden Hotten, who was a very Blackbeard among British pirates, as ingenious as he was unscrupulous; and on page xi he intimates a desire to overrule the judgments delivered in the Vice-Chancellor's Court and in the House of Lords.

An earlier novel of Doctor Holland's, *Miss Gilbert's Career*, had been maltreated in somewhat similar fashion. Its title was altered, an attempt was made to Anglicize the story by substituting London for New York and by changing a Fourth of July celebration into a commemoration of the Queen's Birthday. The British pirate's hireling who did this work was careless, and in one place New York was allowed to stand as it had been written by Dr. Holland—no doubt to the great surprise of the unwary reader, who might well wonder why the hero, having gone to London, should suddenly appear in New York.

The experience of General Lew Wallace with Messrs. Frederick Warne & Co. is perhaps even more peculiar than this. When General Wallace was last in London, he went to Warne's shop, and bought a copy of *Ben Hur*. He examined it for a minute, and then asked to see the head of the firm, whose attention he called to certain alterations made in England without any authority from him. "I see you have changed my title," said General Wallace; "and you have written an entirely new preface and signed my name to it." The publisher hesitated, and at last stammered forth that they had thought they could improve upon it. "And have you taken any other liberties with my book?" pursued General Wallace, and Mr. Warne answered that they had left out the story of Ben Hur, and made a few minor changes. And the British publisher, who made this confession, has never offered to make any payment to the American author, whom he had despoiled and whose work he had disfigured.

From these few examples—*e pluribus parva*—it seems that a certain sort of English publisher is as fond of adapting American novels as the English manager of a certain sort is fond of adapting French plays. In the belief that the British public prefers to have the scene of his stories and of his plays laid in Great Britain, he is led to localize, as best he may, the novel of the New Yorker and the play of the Parisian. Out of deference to the average Englishman's horror against anything un-English, these publishers fall into the alleged practice of the gypsies—as denounced by *Mr. Puff* in the *Critic*—and disfigure their stolen bantlings to make them pass for their own. I believe this is a note of insularity not to be heard in our broader country. Here there is piracy enough and to spare, but it is bold and open; it does not mangle its victims. The American pirates may take all the books of a British author, but they are not

apt to alter these in any way, nor to deprive the author of anything but his just pay. They may steal his purse, but they do not rob him of his good name. Since I began collecting the facts on which this brief paper is founded I have made diligent inquiry, and as yet I have not heard of a single instance where the American pirate mutilated the book on which he had laid violent hands. Such cases may have occurred, but I have not been able to get an account of any. And even though I should find that a number of these outrages had been perpetrated in this country, I should still feel sure that Americans are less frequently guilty than the British, because I know that there is a greater chance of detection and exposure here in the United States than there is in Great Britain. This is for the same reason that American plagiarism from English writers is more uncommon than English plagiarism from American writers; because English books are more read and more likely to be read in the United States than are American books in Great Britain.

In the preface to the *Sketch Book*, Washington Irving tells us how Sir Walter Scott kindly helped him to make an arrangement with Mr. John Murray for the final publication of that book in England; and the story of the English publisher's honorable dealing with the American author is now well known. Not a few other houses in Great Britain are wont to act with the same honesty. I think it would be impossible to find a stolen book on the lists of Messrs. Longman & Co. or of Messrs. Macmillan & Co., although the books of American authors are common enough on their catalogues. Mr. Henry James and Mr. Marion Crawford have intrusted the publication of most of their latest books to Messrs. Macmillan & Co., not only in Great Britain, but in the United States also, which is evidence that they thought they had been well treated in England. Messrs. Chatto & Windus succeeded to the business of one of the most ferocious of British pirates, John Camden Hotten, against whose barbarity "Mark Twain" protested in vain; at once the new firm turned over a new leaf, and they are now the authorized English publishers not only of "Mark Twain" but of at least half a dozen other American authors, with whom their relations are as pleasant as they are profitable. And Mr. Murray, Messrs. Longman & Co., Messrs. Macmillan & Co., Messrs. Chatto & Windus are but a few out of many—out of a majority, it may be, of British publishers. I trust that no reader of these pages will carelessly believe that they were prepared as a general indictment

of the publishing trade of Great Britain. Among English publishers, as among American publishers, there are good men and bad; there are men of marked integrity, there are men of obvious dishonesty, and there are men of every grade between the two.

At bottom, the publishers, good or bad, are not to blame; it is the condition of the law which is at fault. While men are legally permitted to make money by seizing the literary property of others, some will yield to temptation, and take what is not theirs to take. The remedy is to change the law. The remedy is to let the American author control his own book in Great Britain as in the United States, and to let the English author do likewise. As long as the present conditions obtain, and as long as human nature is weak, as we know it to be now, just so long we may expect to see a preface to the *Autocrat of the Breakfast Table*, by Mr. George Augustus Sala, and to protest in vain against the publication of *Yankee Ticklers*, by Dr. Oliver Wendell Holmes.

It is often said that the people of the United States are both proud of the authors of America and fond of them. If this be the case, there is now an opportunity to give a practical proof of this pride and of this affection by allowing these authors to control their own works on both sides of the Atlantic, by relieving them of the fear of piracy abroad, and by freeing them, at home, from the competition with stolen goods.

BRANDER MATTHEWS.

THE DORR REBELLION IN RHODE ISLAND IN 1842.

THE rebellion which occurred in Rhode Island in 1842, though short in duration and easily put down, forms an interesting bit of our national history, on account of the constitutional questions which arose from it. As the rebellion was caused by dissatisfaction with the existing laws relating to suffrage and legislative representation, a brief sketch of the origin of those laws is a necessary preliminary.

In 1647 the four colonies then in the present State of Rhode Island were united under a charter which left everything to the people concerning its adoption as well as subsequent legislation.* In 1663 there was obtained from Charles II. the famous charter by which Rhode Island was governed for nearly two hundred years. This charter confined the right of suffrage to freemen, but gave the Assembly full power to determine the qualifications necessary for a freeman.† The amount of property required was first definitely fixed in 1723, and was subsequently changed on three different occasions, chiefly because of the fluctuations of paper money.‡ Finally, in 1798, the qualification was fixed at a freehold of \$134, or a yearly rent of \$7, and so the law remained until 1842. These qualifications formed no important point in early times, because, as in most newly settled countries, agriculture was the ruling occupation, and a large majority of the people were freeholders.

The charter specified the number of representatives to be sent by each town to the General Assembly.§ Naturally, as time went on, the unequal growth of the towns caused great disproportion in the representation, and a gradual dissatisfaction arose, coupled with a movement on the part of the non-freeholders to obtain the franchise. From 1782 to 1840, several attempts were made to procure

* Arnold's *History of Rhode Island*, I., 114, 122; Burke's report, in *Reports of Committees*, 28th session, *House of Repr.*, Vol. III., 1844, p. 623.

† Burke, p. 628; Greene's *Short History*, p. 294.

‡ *Records of the Colony of Rhode Island*, II., 113; *Public Laws of Rhode Island*, 1730, pp. 131, 209; Burke, pp. 635-644, and p. 10; Potter's *Considerations on the Rhode Island Question*, p. 11.

§ Burke, p. 628.

a new Constitution, but the opposition of the great body of free-holders rendered them futile.* In 1840, however, the Suffrage movement gained a fresh start, through the dissatisfaction caused by an Act of Assembly making it a crime to refuse to perform military duty. At Providence a suffrage association was formed, which, early in 1841, had branches in different parts of the State. July 24, a committee of the association issued a call to the people to elect delegates to a convention to be held in Providence, October 4. All citizens (without distinction of color) who were twenty-one years of age, and who had resided in the State one year, could vote for delegates.†

Meanwhile, petitions from Smithfield and other places, asking for increased representation, had induced the Legislature to call for an election, by the freeholders, of delegates to a convention to be held November 2. This Convention met, prepared a rough draft of a Constitution, and then adjourned until February 14, 1842, in order to learn in the meantime the popular opinion of their project.‡

October 4, 1841, the Convention of the Suffrage Association assembled. A Constitution was drafted, and the Convention adjourned until November 16. On reassembling, the Constitution was finished, and arrangements were made for submitting it to the people, December 27, 28, and 29. This Constitution§ made a re-assignment of the number of representatives from each town, and conferred the right of suffrage upon every white male citizen who had resided in the State one year, and in the town where he offered to vote, six months. But any person could vote on the adoption of the Constitution, by declaring himself an adult American citizen, with a permanent residence in the State.||

On the appointed days this Constitution was submitted to the people. The male population of the State was estimated at 23,142, exclusive of lunatics, convicts, and persons under guardianship. Of this number the Suffrage party in a subsequent convention reported that 13,944 had voted for the Constitution, which was therefore declared adopted.¶ It was also claimed that a majority of the free-

* Frieze, *Concise History*, pp. 14-27; Burke, p. 209.

† Frieze, pp. 33-35; Burke, pp. 256-271, 403-409; *Might and Right*, p. 92.

‡ Frieze, pp. 35-38.

§ Burke, p. 420; *Might and Right*, p. 95.

|| Art. XIV., § 1.

¶ The figures vary slightly. See Frieze, p. 52; Burke, pp. 202-206, 438; Goddard's *Address to the People of Rhode Island*, pp. 70, 72; *Might and Right*, pp. 116, 117.

holders, the legal voters under the charter, had voted for it. Still, although every voter had been requested to write his name on his ballot, and although these ballots were subsequently offered for inspection (an offer not accepted), it is impossible to regard these results as accurate.* First, the election officers made no sort of oath to fulfil their duties honestly. Secondly, three additional election days† had been assigned, as a time in which persons prevented from voting on the regular days could send proxy votes to the moderator. About 5,000 votes were thus secured, chiefly by a canvass made from house to house—a method especially open to evasions of the law. Thirdly, if this "People's Constitution" received nearly 14,000 votes, it is singular that three months later only about 8,600 could be secured by the utmost exertion against the "Landholders' Constitution"; and, again, that in the election for governor only 6,500 votes were cast for Mr. Dorr. These differences are too marked to be explained by the variations in the franchise at the several elections.‡

To return to our narrative, which has been slightly anticipated. The adjourned meeting of the Convention authorized by the Legislature was held February 14, 1842, and the so-called "Landholders' Constitution" was prepared. It bore a marked resemblance to the People's Constitution, and extended the suffrage to every white, male, native American citizen, twenty-one years of age, provided he had lived in the State two years, and in the town where he wished to vote, six months.§ For naturalized citizens, the old freehold qualification was retained. This Constitution was submitted to the people March 21, 22, and 23, and was rejected by a vote of 8,689 to 8,013.|| The reasons for this vote will be discussed later.

The State election was now approaching, and the determination of the Suffrage party to uphold their Constitution was apparent. Consequently the Assembly, in an extra session beginning March 28, 1842, declared any person guilty of treason who should attempt to hold office under the People's Constitution.¶ This declaratory act received from the Suffragists the name of the "Algerine Law." It certainly tended to exasperate that party, but, nevertheless, had

* See Wayland, *Affairs of Rhode Island*, p. 15, note.

† December 30, 31, and January 1.

‡ See Professor Bowen's estimate: *North American Review*, 1844, Vol. LVIII., p. 371.

§ Goddard, pp. 71, 72; Burke, p. 135.

|| Frieze, pp. 58-61.

¶ Burke, p. 133.

the desired effect of reducing the number who sought office under the People's Constitution. The Suffrage party, however, still continued preparations for enforcing their Constitution, and Governor King felt constrained to send a deputation to ask aid from the President. A reply came in the form of a letter dated April 11.* The President said, in brief, that an actual insurrection must occur before interference of the General Government was authorized, and that the question at issue was one for the people of the State to decide for themselves. He should recognize, however, the existing Government until advised that another had been substituted for it "by legal and peaceable proceedings, adopted and pursued by the authorities and people of the State."

The reply of President Tyler served to increase the violence of party spirit. The Legislature was summoned for a special session, and passed measures empowering the governor to fill vacancies in the militia and to take such action as he saw fit for protecting public property. A board of councillors was appointed also, to assist the governor.†

April 18, an election was held, under the People's Constitution, and Thomas Wilson Dorr was chosen governor, receiving 6,359 votes ‡—the whole number cast. Mr. Dorr was a man of ability and education, who had lately been prominent in the Suffrage party. In 1836 he had been one of two members of the Assembly who voted to extend the suffrage. It was only after several had refused the nomination for governor that Mr. Dorr consented to be a candidate. Together with Mr. Dorr, there were chosen a complete Senate and a nearly complete House.

On the following day, April 19, the election under the old law was held, none but freeholders voting. Governor King was reelected on the ticket headed, "Rhode Island Prox.," receiving 4,781 votes, against 2,363 cast for Thos. F. Carpenter, the candidate of the "Freemen's Republican," "Repeal," or "Locofoco" party.§ This party favored an extension of the suffrage, but did not approve the methods of the Dorr party.

There were now in Rhode Island two governments, each certain

* Burke, pp. 656-659; *Might and Right*, p. 223.

† Frieze, p. 68; *Might and Right*, p. 228.

‡ Burke, p. 452. The figures vary from 6,200 to 6,500, but the above are official.

§ Providence *Express*, April 22. Boston *Transcript*, May 5, gives King 4,864, Carpenter 2,211.

of its own legality and determined to exercise its rightful powers. The newspapers of the time give ample evidence of the excitement manifested.* May 3, the Dorr Government was organized in a foundry, as the Charter party still held the public buildings. Mr. Dorr's message† to the Legislature was a dignified paper, and reflected credit on the argumentative ability of the writer. Little was done beyond the passing of resolutions informing the President, Congress, and governors of the several States that the new Government in Rhode Island was organized.‡ In addition, the "Algerine Law" was repealed. A proposition from Mr. Dorr to seize the state-house and other State property had been judged inadvisable by a caucus of the leaders of his party. It was, perhaps, an unwise decision; for any hesitation at that juncture was calculated to create a popular impression that this Government distrusted its own legitimacy.§ The Legislature contented itself with passing a resolution requesting the governor to call on all persons in possession of public property to deliver the same "to the authorities and officers acting under the Constitution and Laws of this State."|| May 4, the Legislature adjourned until July 4.

The Charter Government organized May 4 and passed resolutions declaring that an insurrection existed in the State. Commissioners were sent to Washington to ask aid of the President, and, to await their report, the Assembly adjourned until May 11.¶

Events now followed in rapid succession. Several prominent members of the Dorr party were arrested, and others gave public notice of having resigned their official positions. May 7, Governor Dorr started for Washington to represent in person the cause of his party. In his absence active preparations for hostilities went on, principally in the Charter party. May 11, the Charter Assembly met to learn President Tyler's reply to their call for aid. His letter reiterated his former position, but added that if an insurrection should arise such as "the civil posse shall be unable to overcome, it will be the duty of this Government to enforce the constitutional guarantees

* For example, at a meeting of Suffragists held in the 6th ward of Providence, April 7, 1842, among other resolutions was the following: "Resolved, That we recommend each friend of the People's Constitution to provide himself with a good rifle or musket, and at least forty ball cartridges, so that he may be ready to defend his right at twenty minutes' warning."—New Bedford *Morning Register*, April 11, 1842.

† Burke, p. 720.

‡ See Burke, p. 451, for the House journal.

§ *Might and Right*, p. 236. || Burke, p. 467. ¶ Frieze, pp. 71-74.

. . . and to succor the authorities of the State in their efforts to maintain a due respect for the laws." *

May 16, Governor Dorr, having finished his consultations with political sympathizers in New York and elsewhere, returned to Providence. He was escorted from Stonington by a large procession of Suffragists, about three hundred of whom were under arms.† He had not succeeded in gaining recognition from the United States Government, and immediately issued a proclamation ‡ stating his intention to call on New York and other places for aid, if any United States troops were sent to assist his opponents. Further arrests under the "Algerine Law" he, moreover, prohibited. The Dorr rebellion was now fairly begun, and intense excitement prevailed.

At one o'clock in the afternoon of Tuesday, May 17, signal guns were fired at the Dorr headquarters, and a large body of men immediately assembled. Those who were armed were told to prepare for action, and were encouraged by the seizure of two brass field-pieces from the armory of the United Train of Artillery.§ Hearing of this, Governor King at once issued an order requesting citizens to procure arms at the arsenal.|| Military companies in various parts of the State were ordered to be in readiness to proceed to Providence.

At about one o'clock Wednesday morning, the Dorr party ¶ advanced in force toward the arsenal, which was held by their opponents. The surrender of the building was demanded, and refused. Governor Dorr then ordered the cannon to be fired; but the guns refused to go off, and it was soon discovered that they had been plugged. Meanwhile, confusion and fear had so divided the ranks of the attacking party that it was deemed best to retire. As the morning advanced, troops arrived in the city in support of the old Government, and a notice was issued by the mayor, requesting all citizens to close their places of business and meet at the Cadet alarm-post at half-past seven. But few men assembled at Mr. Dorr's

* Frieze, p. 129; Burke, p. 674.

† *New Bedford Morning Register*, May 17, 1842; *Close of the Late Rebellion in Rhode Island*. Providence, 1842, p. 16.

‡ *Might and Right*, p. 241.

§ For the remaining movements of the rebellion, contemporaneous newspapers of Providence and vicinity are especially valuable. See also the testimony given in Burke's report, and the pamphlet, *Close of the Late Rebellion in Rhode Island*.

|| *Providence Journal*, May 18.

¶ The number is variously estimated from 200 to 800.

headquarters, and the resignation of the remaining members of his Legislature was soon made public. Mr. Dorr saw that his only safety was in flight, and accordingly left the city early that morning, May 18. An unsuccessful attempt was made to capture him. A few of his followers made a stand, with the two field-pieces, on Federal Hill, but receiving no reinforcements dispersed on Thursday morning.*

The so-called rebellion, however, was not yet ended. Mr. Dorr was heard of in Connecticut and New York, taking steps to forward his cause. Much sympathy was expressed for him outside of Rhode Island, both by the press and by public meetings. Great uncertainty as to Mr. Dorr's next move was felt in Providence, and business remained at a stand-still. Governor King made a requisition on Governor Cleveland of Connecticut, for the surrender of Mr. Dorr, as a fugitive from justice. This was refused, though similar requisitions were granted by the governors of Massachusetts and New York.† June 8, Governor King issued a proclamation offering a reward of \$1,000 for the delivery of Dorr to the civil authority of the State within one year. Since leaving Providence, Mr. Dorr had remained chiefly in Connecticut. May 21, he issued an address to the people of Rhode Island in regard to the recent troubles. A supplementary address followed, May 26.‡

About June 10, small parties of Dorr sympathizers began to assemble in the vicinity of Woonsocket and Providence. Somewhere between June 17 and 20, a powder-magazine near Providence was broken into, and 1,200 pounds of powder taken. June 25, Mr. Dorr arrived at Chepachet, a village in the town of Gloucester, about six miles from the Connecticut line, where his followers were encamped.§ The same day he issued a proclamation summoning the [Dorr] Assembly to meet at Gloucester, July 4, and requesting the towns to fill vacancies in that body by new elections. In another proclamation, the military of the State who were "in favor of the People's Constitution" were ordered to repair immediately to headquarters.||

Meanwhile, in several towns, a volunteer armed police had been formed, of adherents to the old charter. Troops from Newport,

* Frieze, p. 94; *Providence Journal*, May 26; *Close of the Late Rebellion*, p. 12.

† Frieze, p. 99; *Might and Right*, pp. 257, 258.

‡ *New Bedford Morning Register*, May 30, 31.

§ The number is not exactly known, though probably about 300. See Burke, p. 865 *et seq.*

|| *Might and Right*, p. 265.

Warren, and elsewhere arrived in Providence.* Actual hostilities began, June 23, with the capture of four scouts sent out from Providence. More troops were speedily ordered thither, and June 25, the Assembly passed an act establishing martial law in the State.†

Another act of the Assembly must here be noticed. June 21, an act was passed calling a convention to meet in September, 1842, to form a new Constitution. This was done at the instance of numerous petitions, and in the hope of quieting the excitement of the hour. A residence of three years in the State "next preceding their voting," was practically the qualification required in order to vote for delegates to the Convention. These were to be chosen on a basis of population, according to the census of 1840.‡ A Constitution framed by this Convention was submitted to the people in November, and was ratified by a vote of 7,032 to 59.§ This Constitution went into effect, May 3, 1843, and is still in force.

But in June, 1842, the political disturbances could not be allayed by a call for a convention. Monday, June 27, troops were sent in several detachments toward Chepachet. Dorr's camp was reached early Tuesday morning, and was taken without resistance.

Mr. Dorr had left Monday night, after dismissing his forces, probably because of the non-arrival of expected reinforcements for his small body of troops. About a hundred prisoners were taken, and the number was increased during the return-march of the troops to Providence. The only bloodshed during the whole outbreak occurred at Pawtucket, Monday evening, June 27. Some trouble arose between the Kentish Guard, which had been stationed here, and a crowd of two or three hundred people assembled at the Massachusetts end of the bridge at Pawtucket.|| The soldiers finally fired on the crowd, killing one man, and wounding two or three others.¶

Thus ended the Dorr rebellion. Martial law continued in force until August 8, when it was suspended by proclamation of the governor until September 1, and was then suspended indefinitely.** Governor King offered an additional reward of \$4,000 for Dorr's

* Frieze, p. 153.

† Frieze, p. 114; *Might and Right*, p. 260.

‡ Burke, pp. 444, 648; Goddard's *Address to the People of Rhode Island*, p. 73; New Bedford *Morning Register*, June 27 and 28.

§ Hough, *American Constitutions*, II., 250.

|| This was before the change of boundary-line in 1861.

¶ Burke, pp. 292-307; Frieze, p. 119; Providence *Evening Chronicle*, and New Bedford *Mercury*, June 28, 29.

** Burke, p. 767.

arrest, but the offer proved fruitless. Mr. Dorr spent most of his time in New Hampshire until 1843, when he returned to Pawtucket. August 10, 1843, he issued an address to the people of Rhode Island, giving a history of the Suffrage movement. In October he went to Providence, purposely to stand his trial, which took place the following April.* Mr. Dorr was convicted of treason and sentenced to imprisonment at hard labor for life. He was pardoned, however, in 1847, and restored to his civil and political rights in 1851.† His death occurred December 27, 1854.

The question of the justification of the Suffrage party now demands our attention. As in many another American constitutional question, strong arguments are not wanting on either side. Our principles of government are totally averse to the concentration of the right of suffrage in a few hands. Yet here was a State, a large part of whose citizens could not vote because not possessed of a certain amount of land. These same citizens could neither act as jurors nor bring suits in any court of law unless a freeman endorsed them. After long-continued and unavailing efforts to obtain a new Constitution, the Suffrage party took matters into their own hands, with what result we have seen. The arguments for their action may be reduced to three:

1. The people of a State have the right to make changes in their Government, and to judge when such changes are necessary.

2. It was impossible to obtain redress under the forms of law, and therefore force was required.

3. The Constitution of the United States (Art. 4, § 4) says: "The United States shall guarantee to every State in this Union a republican form of government," etc. The Suffragists claimed that the Government of Rhode Island was not republican, and that one should be formed to meet the requirements of the Constitution.

The right of the people of any State to change their Constitution is admitted, as long as a republican form is retained. Moreover, a change was assuredly needed in Rhode Island, where the comparative decline of agricultural pursuits had caused a state of things far different from anything foreseen by the originators of the charter. Yet, to effect a reform, the Suffragists went to work very arbitrarily. The Convention ‡ which planned the call for delegates to form a new

* Burke, p. 865 *et seq.*; *Might and Right*, p. 316.

† New Bedford *Mercury*, May 12, 1851.

‡ It was a mere mass-meeting.

Constitution was not properly delegated by the towns for such a purpose, and was not even a body legally representative of public opinion on the Suffrage question. Moreover, the committee in charge exceeded its powers in assuming to decide who could vote for the said delegates.

I have already given my reasons for doubting the vote claimed for the People's Constitution. A select committee of the House of Representatives (28th Congress) investigated the Rhode Island troubles, on petition of the Democratic members of the State Assembly, and, as was natural from their political affiliations, reported this Constitution legally adopted.*

Let us suppose that it really received the approval of a majority of the adult male population of the State—would this suffice? If so, we are conceding to a majority rights which it never possessed in the previous history of our institutions. There is, in all popular governments, a convenient legal fiction that the voice of the majority expresses the will of the whole; but the alteration of fundamental institutions is so serious an affair that provision is almost invariably made for further formalities to be observed. The underlying principles of statecraft now remain practically undisturbed by political changes. But if a mere majority could change at will the fundamental law of a State, these principles would be in imminent danger of being seriously restricted or totally set aside, if such action suited the exigencies of the party in power. This has always been recognized in our national legislation. A majority of the States can make no radical change in the National Government which shall be binding on the others; and the consent of three-fourths of the States is necessary to put in force amendments to the Constitution.

To take an example. If the doctrines of the Dorr party are sound, the advocates of woman suffrage have wasted much valuable time. Finding appeals to Legislatures fruitless, they should long ago have called a convention, framed a Constitution to their liking, and granted all to whom they extended the suffrage the right to vote on the question of its adoption. Fortunately, however, the believers in the political equality of the sexes have always recognized the restrictions imposed by established law and custom, and have deemed the consent of existing authority necessary to changes in our political organization.

* Burke, p. 86.

Was the action of the Suffragists justifiable on the ground that no redress could be obtained without the use of force? The right of revolution is always the last resource for redressing unendurable wrongs. But the justification of such an extreme measure must be previously found in the absolute failure of all peaceable efforts. The Suffragists of Rhode Island had not reached this point. There were restrictions on the right of suffrage in most of the States in 1842, and a mere question of the degree of injustice in this regard formed no warrant for extreme action. Moreover, there was by no means a certainty that the Suffrage party could not gain their point by the action of the established authorities. It is conceded at the outset that both justice and expediency demanded an extension of the suffrage in Rhode Island. This could not, however, be brought about, owing to the unwillingness of the freeholders to disturb the old charter, and to their natural hesitation to share their privileges with others. Yet the chief trouble was that the Assembly underestimated the strength of the popular feeling, just as the Dorr party always overestimated it. Many votes, in fact, were cast for the People's Constitution merely to express an opinion that the suffrage should be extended. But although the Assembly was slow in appreciating the true popular sentiment, it nevertheless finally took action which ought to have prevented serious trouble. The Landholders' Constitution was the result of this effort to meet the public demand, and its rejection formed the chief mistake of the Dorr party. This Constitution strongly resembled that of the Suffragists, and, though not a perfect instrument, would have answered every purpose temporarily, and the defects of a Government once established on the new basis could easily have been remedied. The Constitution, however, was rejected, chiefly for two reasons: 1. Many were strongly attached to the old charter, and disliked any change. 2. The Suffrage party made every effort to secure its rejection, although many Democrats not particularly attached to Mr. Dorr favored its adoption. As a party, however, the Suffragists scorned the idea of making any concessions from the strict letter of their own Constitution; while the sincerity of the action of the Assembly, on the other hand, was proved by its subsequent course, in regard to the new Constitution of 1843.

The circumstances attending the admission of Michigan to the Union have been quoted as affording a precedent for the action of the Dorr party. In this State, a Constitution framed by a popular

convention had been adopted by the people in 1835. In the same year, a State Government went into operation. In June, 1836, Congress passed an act admitting Michigan into the Union, provided certain conditions in regard to boundaries should be accepted by a popular convention called for that purpose. A convention elected under an act of the State Legislature met in September, 1836, and rejected the conditions imposed. In December, the people chose a convention without regard to the Legislature. The conditions imposed by Congress were accepted by this Convention, and in January, 1837, Michigan was finally declared a member of the Union.*

The foregoing circumstances, however, differ much from those existing in Rhode Island in 1842. In the case of Michigan, Congress had not specified the manner of electing delegates to the ratifying Convention, and had recognized the right of the people to choose them. Moreover, until the conditions were complied with, Michigan was in point of fact a Territory, and her Legislature had yet to be clothed with the powers of State sovereignty. Furthermore, if the action of the State Convention were illegal, Congress could have overruled it by the power subsequently exercised in the Kansas troubles of 1856. But in Rhode Island a State Government had long been established, and consequently the State was not under congressional control.

It remains for us to discuss the attitude of the United States Government toward the Rhode Island trouble. As Professor Bowen points out,† the sovereign power of the State was changed by the Revolution, as was the case in England in 1688; but the old charter had been ratified by the freemen of the colony, and consequently remained in force, even though allegiance to the English crown had ceased. When the second Continental Congress recommended the formation of State governments, they were naturally constructed on the basis of existing institutions. So, in Rhode Island, the old charter was retained, with a few slight changes required by the separation from England. The mere fact that Rhode Island was admitted to the Union was a recognition of her Government as republican in form. It was derived from the body of the people, and every man had a chance to obtain the full privileges of a freeman. The essence of republican government consists in rule by the people

* Hough, *American Constitutions*, I., 663. † *North American Review*, 1844, p. 371.

through chosen representatives, and does not necessarily lose its character by reason of limitations on the suffrage. Moreover, the system of proportional representation was then by no means elaborated, and inequalities existed in all the States.* For these reasons, Rhode Island could certainly claim to have a republican form of government; and when once admitted to the Union, the United States was bound to uphold the Constitution of the State, until duly notified that a legal change had been made. This justifies President Tyler in upholding the Charter Government, and it is aside from the point to question how far his course was dictated by political reasons. Furthermore, to carry out the Act of Congress, 28th February, 1795, the President must have power to decide whether a Government organized in a State be the lawful one. He is bound by the Constitution to aid a State on requisition of the Legislature, or of the governor, when the Legislature cannot be convened. Such a requisition was made, and the President sent troops where they would easily be available in case of an actual outbreak. He deemed this sufficient, since the two contending factions were not yet beyond the possibility of a peaceable settlement of their differences. This position was also well taken, for the President must of necessity judge when that emergency arises wherein he is by law called upon to act.†

The action of the Charter Government in declaring martial law was declared by the Suffragists illegal, on the ground that no authority for it was given by the charter, and that, even conceding the right, no exigency for the use of so extreme a measure had arisen. It is outside the limits of our subject to take up the much-plexed questions of martial law, but a few words are necessary to explain the course pursued by the State Government.

The movements of the Dorr party had every appearance of resulting in a serious outbreak. For this reason, a Government esteeming itself the rightful authority in the State was in duty bound to take every precaution to insure its own stability. In this connection it is sufficient to quote from the opinion of the United States Supreme Court as delivered by Chief-Justice Taney in the celebrated case of *Luther vs. Borden*. This was an action for trespass, brought by Martin Luther against Luther M. Borden and others, for breaking into the plaintiff's house at Warren, June 29, 1842. The defence was that martial law was then in force in the State, that the

* *E. g.*, Vermont. See Hough, *American Constitutions*, II., 406.

† See Curtis's Reports; 7 Howard, *Luther vs. Borden*, Taney's opinion, p. 11.

defendants were militiamen ordered to arrest Luther, and that consequently their action was warrantable. This view was held by the Circuit Court. The case was carried to the Supreme Court by a writ of error, and here a decision was given approving the position of the Circuit Court in regard to questions of jurisdiction, and affirming its judgment.* In delivering the opinion of the Supreme Court, Chief-Judge Taney said :

“ Unquestionably, a military Government, established as the permanent Government of the State, would not be a republican Government, and it would be the duty of Congress to overthrow it. But the law of Rhode Island evidently contemplated no such Government. It was intended merely for the crisis, and to meet the peril in which the existing Government was placed by the armed resistance to its authority. It was so understood and construed by the State authorities. And, unquestionably, a State may use its military power to put down an armed insurrection, too strong to be controlled by the civil authority. The power is essential to the existence of every Government, essential to the preservation of order and free institutions, and is as necessary to the States of this Union as to any other Government. The State itself must determine what degree of force the crisis demands. And if the Government of Rhode Island deemed the armed opposition so formidable and so ramified throughout the State as to require the use of its military force, and the declaration of martial law, we see no ground upon which this court can question its authority. It was a state of war, and the established Government resorted to the rights and usages of war to maintain itself, and to overcome the unlawful opposition. And in that state of things, the officers engaged in its military service might lawfully arrest any one who, from the information before them, they had reasonable grounds to believe was engaged in the insurrection.” †

This clear exposition requires little comment. It shows the reason for declaring martial law, and the essence of the law itself. It is a temporary means employed to check resistance to established authority. Civil law, meanwhile, is not held to be abrogated, but simply as temporarily suspended.

In conclusion, then, it seems that the action of the Dorr party was ill-advised, and, to a great extent, illegal. The acknowledged need of reform in the Rhode Island suffrage laws cannot be urged as a defence of their course. They should have sought redress through the established State Government, and the ultimate success that would have crowned their efforts cannot be doubted.

WILLIAM L. R. GIFFORD.

* Burke, pp. 357-376; U. S. Supreme Court decisions, 7 Howard, pp. 1-55. Justice Woodbury rendered an interesting dissenting opinion on the question of martial law.

† Curtis's Reports; 7 Howard, pp. 13, 14.

THE ESSAY AS A LITERARY FORM AND QUALITY.

I.

I DOUBT whether any term in literary nomenclature is so indefinite as the word "essay." In histories of literature we rarely find the essayists classified by themselves, but under the head of moralists, critics, humorists, and the like; or, if used, the term is little more than a convenient mode of designating whatever may not very well be otherwise catalogued. As ordinarily understood, the essay is simply a comparatively short prose composition on a single theme.

The special object of this article is to protest against this confusion of thought, and to vindicate the essay proper as a distinct species of literary production, both in form and quality. History, criticism, philosophy, description, or any kind of information or research, may enter into its subject-matter. But these do not in themselves constitute a genuine essay, any more than swallows can make a summer, or piety and music are sufficient for a hymn.

An essay is *not*, as Worcester gravely defines it, "a short treatise or dissertation, a tract." The shortness is neither here nor there. And Worcester himself quotes Gilpin as follows:

"When we write a treatise, we consider the subject throughout; we strengthen it with arguments, we clear it of objections, we enter into details; and, in short, we leave nothing unsaid which properly belongs to the subject."

What a prodigious joke it would have been to Charles Lamb or Dick Steele to have any such thing as that expected of him! A tract is the product of the pamphleteer, who want to preach, or to prove something. A dissertation is "an argumentative inquiry." Perish the thought that the essayist's pen should be guilty of tracts, even with the Miltonic suffix *tractate*! And for him to "dissertate" is to be damned.

The essay is what the word implies, as set forth by, perhaps, the greatest master of the art. "To write just *treatises*," says Lord Bacon, "requireth time in the writer and leisure in the reader, which is the cause that hath made me choose to write certain brief *notes*, set down rather *significantly* than *curiously*, which I have called *essays*; the word is late, but the thing is ancient." The reader will

pardon my italics, because in these words we come at the heart of the whole matter. The essay is properly a collection of notes, indicating certain aspects of a subject, or suggesting thought concerning it, rather than the orderly or exhaustive treatment of it. It is not a formal siege, but a series of assaults—*essays*, or attempts upon it. It does not pursue its theme like a pointer, but goes hither and thither, like a bird to find material for its nest, or a bee to get honey for its comb. It is, in point of fact, a honeycomb, a thing which has unity and proportion, but which has its thousand separate cups of sweet suggestion and full of the distillations of fancy.

The essayist is not the commercial traveller nor the scientific explorer, but rather the excursionist of literature. There may be several ways of reaching a given point—as by railway, or steamboat, or turnpike stage with relays of horses. But there may also be such a thing as getting upon an ambling horse or into a family phaeton, and jogging on through bridle paths or through primrose and hawthorn lanes, going by the sun and not the guide-book, making *détours* to gather wild flowers, to gain a wider prospect, or to visit some old mansion or an old friend. Perhaps the way is worth more than the goal, and is an end in itself.

The essayist, in fact, is not apt to be burdened with the responsibilities of his theme. He will generally know what he is to write about when he begins, but not necessarily the “line of thought” he will pursue. He has ideas about it, and he is sure that others will suggest themselves as he goes on. He is interested in the thing, and thinks he sees it a little more vividly than most people; and he expects to interest others and make them see it more vividly. But he does not propose to argue the case with them, nor has he any pedagogic yearning to diffuse useful knowledge. The subject is the occasion rather than the efficient cause, or the end, of the essay. It may be said to liberate thought, rather than to limit it, in the mind of the writer. You never know what a genuine essayist will say next. It will not necessarily flow out of the last thing, nor have a logical connection with it. It may be suggested to him by what has gone before, but often by some subtle association unperceivable by the reader. And it is this surprise and unexpectedness which constitute a part of his peculiar fascination and perennial freshness.

Not that the true essay is a careless performance, the slouch or sloven of the literary sisterhood. On the contrary, no form of prose composition requires a more exquisite precision and felicity of ex-

pression. A genius for words is one of the essentials of the art. Hence it was the essayists, more than any others, who perfected prose style in England and France. Bacon re-wrote some of his works a dozen times. Pascal says that he sometimes took twenty days in perfecting a single piece, and it is affirmed that not a word of his *Provincial Letters* has become obsolete. "Point" is more absolutely essential than in any other kind of composition. Though leisurely and discursive in the general treatment, it must be sententious and exact in the expression of particular thoughts.

In short, it may be said that *the style is the essay*, so far, at least, as quality is concerned. It is not so much what is written about—all things are the essayist's spoil—as the way of saying it. While the most flexible and unfettered of literary products, it is one of the most distinctive. The mere outward semblance does not constitute it, nor can another literary form disguise it. Hence, as we shall find, essayism pervades every department of literature. We detect its essential attar in the histories and biographies of Carlyle, in the philosophy and science of Cousin and Max Müller, in the poetry of Shakespeare and Cowper, in the novels of Cervantes and Shorthouse, in the orations of Beecher and Phillips, in the devotional writings and homilies of Jeremy Taylor, Wickliffe, and Frederick W. Robertson. Even Augustine has the accent of the essayist in his *Confessions*. Bunyan's genius partakes of this quality quite as much as of the romance. And I trust that it will not be deemed irreverent to refer to the fact that our Lord himself taught not in the form of dissertation, but by suggestion and seed-thoughts, crowded with allusion, and free from stereotyped methods.

On the other hand, things go by the name of essays which are merely "sermons," or reviews, or political tracts, or abridged histories. It was absurd for Burke to call his philosophical treatise on *The Sublime and the Beautiful* an "Essay." The same is true of many so-called essays of writers like Alison, Jeffrey, Brougham, and even Macaulay, which differ from histories and biographies only in length and in being of the nature of monographs. And so of a large proportion of the published "essays" of literary criticism. It is one thing to write book notices on an extended scale, or a minor treatise on rhetoric; and it is another thing to talk about books and authors with the rich poetic and humorous sympathy of Lowell, or, with Sainte-Beuve, to read the very soul of the writer in his book.

II.

It does not seem an impossible task to formulate the chief characteristics of the essay, most of which must appear in each specimen in order to vindicate its title to the name.

And yet its very first feature is its informality and unconventionality of treatment. It is the child of freedom, and is shaped and guided simply by the selfhood of the writer. Hence it may proceed with the regularity of plan of a checker-board, or it may be as unmethodical as a crazy-quilt. It is not necessary to accept the suggestion that an essay is "a thing without beginning, middle, or end." But it is strictly true to say that it has no need of an introduction to "pave the way" or explain its appearance, nor of a "middle term" to "couple" the compartments together and constitute a legitimate "train of thought"; nor is the writer under stress either to continue on or to "conclude" at a definite stage of the process, but may stop whenever he has given enough of his thoughts to amuse himself or his readers. For this reason, if for no other, we claim Jean Paul Richter among the essayists. "He writes," says Doctor Hedge, "like one who enters on a journey with no determined end in view; or who, having one, forgets it in adventures by the way, in the pleasant company he falls in with, or strays into endless episodes." So also Rousseau, in his preface to *Emile* (the essay quality of which will be perceived at once on comparing it with Herbert Spencer's tractate on education), speaks of it as a "collection of observations and reflections without order and almost without sequence," and anticipates the objection that his book contains "rather a heap of reveries than a treatise." And Montaigne says of his essays, "As things come into my head, I heap them in; sometimes they advance in whole bodies, sometimes in single files."

There must, however, be an essential unity of subject. Informality is a different thing from formlessness, or chaos. The essayist may tack, and even drift, as much as he pleases, but it must be about the central buoy. Even Laurence Sterne, whose style may be described as a perpetual digression, never entirely lost his bearings.

It is sometimes taken for granted that the essay must be "brief," and this is one of the snares into which classifiers have fallen. But the nature of an essay is not a question of the yardstick.

And yet it will transcend the limits of decided brevity at its peril. I do not think that Montaigne averaged two thousand words. The papers of Steele and Addison would hardly suffice for a two-page tract, and you could write most of Bacon's on a letter-sheet; the latter look ludicrously short when we compare them with the ten and even twenty-fold annotations of Whately upon them.

Maurice de Guérin wrote anxiously to his sister Eugénie, "I want you to reform your system of composition; it does not talk enough." The essayist is the man who chats. He is the club man of literature, standing at the club-house window and making his comments on the life that passes. He takes down a book from the shelves, and talks about it to the group that gathers around him. Or he sits by the fire and tells unreservedly what he knows and thinks, and, in doing so, what he is. Some of the best essayists have written in the form of letters, which are the counterpart of conversation. The essay is spoiled if it gives us the feeling of going to school. Hence we can understand why Charles Lamb should class Gibbon, Robertson, Paley, and Soame Jenyns with "directories, statutes at large, and scientific treatises." And our own soul finds little of the genuine flavor in a long array of so-called essayists as able and elegant as John Foster, Harriet Martineau, Frances Power Cobbe, and W. R. Greg.

The essay, as has been said, treats its subject by a series of suggestions rather than by a chain of reasoning, or even of logical connection. This was the style, to an almost exaggerated degree, of the chief of the old masters, Bacon and Montaigne, and is specially characteristic of Plutarch. Emerson's essays were little else than the skilful boiling down of his commonplace-books and the ingenuous jointing together of the contents of his scrap-books. His neighbor, Bronson Alcott, once found him down upon his library floor, which was strewn with these memoranda, and raking out from them the materials for his next essay.

The French mind has especially worked in this way. La Rochefoucauld of the "Maxims," and La Bruyère of the "Characters," are well-known examples; also Vauvenargues, "the Pascal of the eighteenth century," whose ideas lie around in seeming confusion, and are yet (as Vinet remarks) "the finished and fitted stones of an un-built palace." The series was "crowned," according to Sainte-Beuve, by Joseph Joubert, in his *Thoughts, Essays, and Maxims*. But it begins to look as if the end is not yet, for the unearthed

Pensées of the Abbé Roux have already suggested a title for him as "the La Bruyère of to-day." I do not know a better illustration of the genuine essayist than this obscure parish priest. Here is a man of original, reflective, and observing mind, who is condemned to the isolation (which he carefully distinguishes from solitude) of a remote cure among the most uncongenial and uncultivated peasantry. He must find expression to relieve the numb pain of his heart and mind, and so talks to his paper as thoughts come to him or as things strike him. Under no constraint to convince an audience or to spread out his ideas for adaptation to "the public mind," he is in no temptation to fall into dissertation. He says what he has to say about the matter in hand in his own way, and in few or many words, as he happens to feel—and stops. He "essays" at a thousand topics, sometimes in one sentence, sometimes in a hundred, but never starts to "exhaust the subject," nor cares to ask afterward whether he has demonstrated it. He does not feel under the least obligation to his subject to "do justice" to it. His sole obligation is to himself, and to the fancy or the feeling that is in him.

Underneath all its sparkle, and even seeming *persiflage*, the essay is reflective. The essayist is the man who meditates, as distinct from the "thinker." He is the literary angler. We find no better example of this quality than in the thoughtfully devout pages of dear old Izaak Walton, whose pen was as true an angle as his fishing-rod. There is a fitness in such names as the *Spectator*, the *Rambler*, the *Idler*, applied to collections of these compositions. They are not voices from the crowd, vibrating with the strain and rush of life, but the observations of thoughtful and interested lookers-on. It was the opinion of Montaigne that "the sweets of life" were "peace, leisure, travel, and the writing of essays." But the first three are highly important to the fourth, in order to create the atmosphere of observing reflection. We might almost speak of the essay as a literary mood. Perhaps, with Montaigne, as with Rousseau and Chateaubriand and Burton and Thoreau, it may amount to what has been called "the malady of reverie"; I had almost added Swift and Carlyle, but with them it is rather the essay "on the rampage," *rampant*, and not *couchant*, which latter is its true attitude and *pose*.

Not that the essay has any affinity with dulness or prosiness. Of all forms of composition, it can least afford that. The diamond could as well be without sparkle, or the mocking-bird without vocal range,

as the essayist without vivacity and variety. An article whose design is information or investigation needs only to be clear, in respect to style. The essay must coruscate. Brightness and point are the breath of its life. A "labored" essay forfeits its claim to recognition.

The essay is marked by its scope and freedom of allusion. The essay mind does not run to abstractions, but tends constantly to the concrete in the way of examples and illustrations. It regards its subject not as a flower-cup into which to plunge for sweetness, but as a cell into which to convey the honey of a thousand blossoms, gathered in the farthest flights. It would be one of the best of rhetorical exercises to pick apart the tissue of an essay by Lowell or Holmes, and assign the multitudinous allusions to their originals. The great master whom the gentle Elia loved, and whose *Anatomy of Melancholy* is said to have been able to draw Doctor Johnson out of bed two hours earlier than any other book, is one mass and mosaic of anecdote, reference, and quotation. Of Jean Paul it is said that "his dominant principle in composition seems to have been to work in somehow, to lug in somewhere, all that he had ever read or thought of." Of the same school are the two undoubting Thomases—he of the *Urn Burial*, and he of the *Holy and Profane State*—whose pious learning was the oil that fed a thousand cressets of many-colored lights, which cast their rays on all things in heaven and on earth. Thomas Fuller has been called the founder of this "quaint school," which included also Donne and Taylor, but without their excess and exaggeration. He is at times as profound as Bacon, as imaginative as Milton, as witty as Sydney Smith. When he reasons, his logic unrolls a cloth of gold. Even Bacon cannot write a page on such a topic as "Fortune" without quoting or referring to Appius Claudius, Livy, Cæsar, Plutarch, Cato, Sylla, Timotheus, Timoleon, Agesilaus, and Epaminondas, and citing the customs of the Spaniards and Italians, the science of astronomy, and the verses of Homer.

Matthew Arnold has puzzled us all with his definition of poetry as a "criticism of life." It would be a far better definition of the essay. The essayist is the man who observes. Whether it be the social espionage of a *Spectator*, the amused sympathy of a "Geoffrey Crayon," the glare of a Swift, the scowl of a Carlyle, the sharp censorship of a Ruskin, the mousing and microscopic watch of a Thoreau, whether the glance comes from under the broad brow of Verulam, from the sad and eager eye of Rousseau, or the clear and

sunny vision of Christopher North, the true essayist sees life in its manifold aspects as other men do not. He is in sympathy with M. Houssaye, who closes his *Confessions* by saying: "Whatever happens, and whatever befalls me, I thank the gods that I have been elected to behold the great spectacle of life!" So Maurice de Guérin, whose fragmentary relics are exquisite types of the essay, full of the most delicate perception and the subtlest sympathies, testifies: "I am neither philosopher nor naturalist, nor anything learned whatsoever; there is one word which is the god of my imagination, the tyrant (I ought rather to say) that fascinates it, lures it onward, gives it work to do without ceasing, and will finally carry it I know not where—the word *life*." Théophile Gautier brought the faculty of describing the aspect of things to perfection. His *Caprices et Zigzags* and his *Voyage en Espagne* are the farthest possible from mere traveller's tours. They are absolute reproductions, by a marvellous word-artistry, of scenes and characters, with all their local color and atmosphere, their picturesqueness and humor. Professor Wilson, on the contrary, was an impressionist. The reader feels as if he were in Kit North's very company, breathing the mountain air, threading the perfumed woods, hearing his hearty voice, and helped by his strong hand over dangerous places; but without getting in a whole volume as definite a picture as Ruskin or George Sand will give in a page.

But, of course, the observation of nature is only a small part of the criticism of life. It is curious to note the topics which have engaged writers so different in mental *timbre* as Bacon, Burton, Emerson, and Leigh Hunt. You will find them all treating of the everyday sights and common life of men about them, precisely as did Steele and Addison in the high noon of the English essay, or as the Abbé Roux and the "Easy Chair" of *Harper's Monthly*.

The alcove of my library to which I turn as to its very heart and eyes, is that which contains the goodly fellowship of the essayists. The true essayist is intensely human. He dips his pen into the red ink of his heart and the violet ink of his fancy, rather than into the colorless fluid of the intellect. Nay, he employs all the variegated crayons of his moods and sentiments. His sympathies sound along his wire, from the fiery prejudice of a Teufelsdröckh to the jibe of a Jerrold, or the half-sigh and half-smile of the gentle Elia. His theme may be an abstract one, but he straightway brings it into the region of human interests. If historical, he produces not a Macaulayan pa-

geant, in which the chief use of men is as parts of the procession, but a Carlylean drama of human passion and personality. If literary criticism, it is the man in the book that he discovers and analyzes. His sketches of out-door nature are not botanical or zoölogical calendars; he finds the man in the fields. His records of travel are not graphic and intelligent guide-books like Henry James's, but in the mood and manner of Mr. Howells's Italian and suburban sketches, full of close and interested observation of people, charming speculation as to their traits and histories, and minute study of the small incidents and details of his own and their surroundings—such, for example, as his sketches of a country store, of his door-step acquaintances, and of his fellow-passengers on the horse-cars.

Our final characteristic of the essay is a certain naïveté of self-expression. The essayist is not necessarily egotistical. He takes everybody into his confidence, and it does not occur to him that others are not as artless, or as interested in himself and his thoughts, as he is; or, if he admits it theoretically, or finds it out by harsh experience, he cannot remember it when the fit is on him. He is far from being a defier of critics or of canons. But he is born with a natural armor of ingenuousness, which protects the tender tissues of his genius from a rude and unsympathetic world. To the essayist, of the Montaigne type particularly, reticence is fatal, or the hesitancy which stops to ask whether people will pronounce him an egotist or a gossip. He is essentially autobiographic. Montaigne says of his essays: "In these fancies of my own I do not pretend to discover things, but to lay open myself." Jean Paul was a "professor of myself," and his whole writings are self-revelations of a loving and exuberant, a unique and observant, nature. Jean Jacques, at his quiet country-seat at Wootton, where he wrote his *Confessions*, testifies: "I am never less bored or idle than when alone; I have here a man of my acquaintance whom I have a great desire to know better." Hence the essayist is apt to be a humorist, in the sense of seeing and saying everything in his own way, and colored by his individuality. "I say exactly what passes in my own mind, in spite of myself," says Rousseau, in his preface to *Émile*. And, whatever may be Macaulay's rank as a historian and biographer, the lack of this, among other qualities, prevents us from awarding the same place to him as an essayist which Carlyle or Thackeray have won by such monographs as "Mirabeau," or "The Four Georges." He never chats nor confesses nor digresses, nor lets himself down from his literary buskins. He

is always the relater, the exhibitor. His historic tapestries are in no essential respect different from his five-volumed history, and are to be classed as "essays" chiefly by accommodation.

III.

The Greek mind was too objective, and Greek life, even in the best days of Athenian culture, had not enough of repose from war and faction for the cultivation of the essay mood; and, accordingly, Grecian genius took rather the forms of art, oratory, poetry, history, and philosophy. It discerned the element of beauty in all things, and was curious to ascertain the hidden laws of all life, rather than interested in observing its minor and commoner aspects, and in meditating upon its practical suggestions. Xenophon and Plutarch are perhaps the only examples of essayists in form as well as quality. Xenophon's shorter pieces, on tyranny, housekeeping, and hunting, might have been written by a Montaigne or Walton of that period. This may be due in no small measure to his exceptional enjoyment, even in his exile, of "peace and leisure" on his Arcadian estate near Elis. The tranquil beauty and simple suggestions of his environment seem to have moulded, as well as tempered, his writings. Plutarch, however, is the peculiar representative of the Greeks in this department of letters. With him the essay took its perfect form. He wrote on chatting, curiosity, self-praise, bashfulness, wedlock, on the profit which a man can derive from his enemies, on oracles which have ceased to give replies. He was the master, and the model, of Montaigne and of Emerson.

It is quite impossible to distinguish the essential quality of many of the Platonic dialogues from that of the essay. As has been well said, they were the *Causeries de Lundi* of their age. They are the farthest removed from either a treatise or a drama. The dialogue essay was continued, though in verse, by Lucian, whom it is quite a mistake to class among dramatic writers, except in form. He was the forerunner of Fontenelle, Fénélon, Lord Lyttleton, and Landor. The influence not only of his satire but of his style is distinctly traceable in the *Spectator*, one of Addison's papers being a direct imitation.

It was not till the conditions were fulfilled, in the security and the high social and literary culture of the early empire, that we find the essay flourishing among the Romans. But one of the most

illustrious of essayists was, so to speak, prematurely ripened by the enforced seclusions of Cicero's varied career. As he paced the terraces and galleries of his suburban villas, the almost celestial beauty of the landscape stole into his heart with a sense of peace which the feverish world could not give, and he wrote out his immortal meditations on friendship, duty, old age, gracious manners, and the choice of a profession—on the bearing of pain, the contempt of death, and the question whether virtue is sufficient for happiness. Some of these topics indicate the tendencies of the great orator and statesman, on the meditative side of his nature, toward Stoicism. And it is among the Stoics that we find most of the Latin essayists. Three great names immediately present themselves to our minds, the imperial *Meditations* of Marcus Aurelius, the morals and maxims of Seneca, and the *Manual* and *Fragments* of Epictetus. The latter especially is a typical essayist. He has embalmed the world of his day in his dissuasions from it. In order to inculcate his doctrine of indifference, he pictures graphically and minutely the things to which we are to be indifferent.

But even Roman essay was not always condemned to walk in toga on the shady side of life. It could trip with Horace to the lighter measure of his verse, or pipe with Virgil over the Mantuan fields, or chat in the letters of Pliny the Younger, from his luxurious Laurentine or Tuscan villas—Pliny, the bravest of essayists, and hence nearly their martyr, who could stop to jot down his ideas with a wild boar staring him in the face! The accidental form of satire or eclogue or epistle, in which these writings appeared, does not alter their essential character. The spirit of essay, too, hovered benignly over old Aulus Gellius, as he compiled his scraps and notes and threaded them together in true Burtonian and Emersonian style, and drew them forth in *Attic Nights*, to brighten the winter evenings of his children.

There is little spoil for the essay-hunter in the first millenium and a half of the Christian era. There was too much to be proven and preached in the early earnest centuries, and afterwards the scholastic habit of thought was fatal to the freedom which is the essayist's vital breath. It required the dawn of the Reformation to unfetter this form and motion of the mind. The morning star of the modern essay appeared in *The Familiar Colloquies of Desiderius Erasmus of Rotterdam, concerning Men, Manners, and Things*, 1518. Erasmus was a genuine successor to Plutarch and Lucian, and the

fore-runner of Swift and Addison. One of the most characteristic and interesting of these colloquies is "The Profane Feast," in which the talk rambles over all the incidents and features of a dinner party, from the basin of water at entering to the thanksgiving after meat. He chats of wines, meats, the number and seating of the guests, the ancient laws of feasts, the bill of fare of the second course, and on temperance, vegetarianism, the Epicureans and Stoicks, the god Bacchus, and all sorts of suggested topics. Then he gives us, in another colloquy, what he calls "The Religious Treat," exemplifying what ought to be the table-talk of Christians.

It was more than half a century later, when the father and the completest type of the modern essay appeared. More than perhaps any other man, Montaigne made the writing of essays his vocation, and none was ever better equipped for his calling. A man of rank and culture, he had seen and studied the world and men, in town and country, during the troublous times of the Medicis and the Huguenots in France; till at thirty-nine years of age he retired to his ancestral estates and devoted himself to reading and writing. Comparatively alone, he took the world into his confidence. He became a closer observer of life than ever, as seen from his chateau windows, and through the window of his own breast.

Montaigne is the ideal egotist. For him to write essays was to record his own moods and observations. He notes the most trivial things about himself, as White of Selborne chronicled his natural environment. He takes us all about his house and fields and forests, and gives us the minutest details of his domestic affairs, his daily habits, and his studies. He describes his writing as being something almost involuntary, an inward impulse not to be restrained any more than a runaway horse. He sets down his observations, reflections, and notes of reading "without order or design," and in due time "fagots" them together.

Montaigne exemplifies the truth that the best critics of the world are often men apart from the world. He often talks like a newspaper of to-day. In a word, he was a modern, a man of the nineteenth century; and he will be equally a man of the twentieth. It is difficult to tell whether he was conscious of any practical purpose; and yet he and Erasmus were the skirmishers and sappers who effectually harassed and undermined popery in advance of the heavier siege-guns of reformers and revolutionists. He is a strange mixture of wit and sadness, and passes easily from a Shakespearian

gravity and eloquence to the most familiar and even coarse details. His themes range from virtue, solitude, old age, books, the art of conversation, and the education of children, to liars, idleness, and drunkenness. Other topics are names, physiognomy, the custom of wearing clothes, coaches, cripples, sleep, smells, and even "of thumbs."

Just five years from the time when the great Frenchman lay speechless and dying in his lonely chateau, with hands crossed upon his breast, the first collection of Lord Bacon's essays appeared. These were formally planned upon what he defined to be the proper meaning of an essay—separate thoughts having no other unity than that of subject, hints to be followed up, suggestions to set the reader to thinking. No human being, not even Solomon in all his glory as a proverbialist, ever had such a genius for compression. And yet these very essays were still farther condensed by him into *antitheta*, which contain their piths and points *pro* and *con*. His topics are taken from the common interests and occupations of mankind; and his essays are a genuine criticism of life, profoundly simple, the chat of a sage and a prophet. Though not at all in the nature of "confessions," they have a sublimely human interest, as the lifelong conclusions of one whose powers of observation were as catholic and keen as his great contemporary Shakespeare's, while his opportunities were broader, and whose gamut of experience ranged from that of the grandest to the meanest of mankind.

It would be impossible to call the roll, much less to pass in review this serene army (or, if you prefer, this light-armed legion) of literature. We must confine ourselves to the most representative and master spirits. There is many a name, and many an essay besides those herein alluded to, on which I should love to dwell—such as Sir William Temple, whom Lamb considers to have been the model of Addison; Nathaniel Culverwell; my Lords Bolingbroke and Chesterfield, and Lord Shaftesbury's *Characteristics*, after the manner of La Bruyère; Sir Thomas Overbury's *Characters, or Witty Descriptions of the Properties of Sundry Persons*; Jeremy Collier, whose "Moral Essay concerning Cloaths" anticipates Teufelsdröckh; Swift and Goldsmith, the lion and the lamb of literature; Doctor Beattie and Abraham Cowley, whose prose is as easy and vital as their turgid poetry is twice dead and plucked up by the roots.

Bacon must stand for the sixteenth century. For the seventeenth

we have room for only one representative, the dear old Vicar of Oxford, Robert Burton, whose *Anatomy of Melancholy* was the standing crib for Laurence Sterne and other plagiarists, the inspiration of Milton's *L'Allegro* and *Il Penseroso*, and the delight alike of bluff Sam Johnson and the gentle Elia. More than any man who ever lived, he could be the profoundest of bookworms without becoming a dry-as-dust. He could dip into all growths of literature to find honey everywhere, and honey only. His genius for quotation was something almost superhuman. He unloads his note-books and scrap-books upon us so dexterously that their subordination to his own remarks is never lost, nor the connection of the references with one another. And there is, also, a pathetic and autobiographical interest about this wise and witty old book (signed "Democritus, Jr."), when we realize that it is the fruit of a brave struggle to divert the author's own mind from the constitutional "melancholy" which was creeping over him.

The essay literature of the eighteenth century clusters around the galaxy represented by the *Spectator* group. England's time had come, when political stability and accumulating wealth had brought the "peace and leisure" which are the conditions of the writing of essays. Life had become artificial and society conventional, and a bold creativeness in literature had begun to be supplanted by the era of self-consciousness and criticism. Then came forward Capt. Richard Steele with his daily *Tatler*, the father of the periodical essay and the grandfather of the modern editorial. The *Tatler* was soon merged into the *Spectator*, with the immense reinforcement of Joseph Addison. It was a daily dish of town talk, raised by genius from cockney gossip into a critique of humanity. It discussed dress, diet, table and company manners, shops and taverns and theatres, city fop and country squires, vulgar wealth and poor relations and insolent servants. It was, as has been said, "the real pulpit of the day," which corrected the false taste and coarse morality of the times by the combined weapons of genial humor, piquant anecdote, broad caricature, and subtle sarcasm. Its method was to paint representative characters, and to scourge society over their backs. It opened up a new epoch, both in essay and in periodical literature. So popular did it prove that no breakfast-table or coffee-house in London was complete without it, and more than two hundred similar publications followed in its wake, the collected essays from which fill forty or fifty volumes.

The best of these followers and imitators of the *Spectator* was Doctor Johnson's *Rambler*. But the good doctor was essentially a preacher, and introduced a kind of essay and a grandiosity of style which, in feebler hands, soon wrought the decay of this species of composition. The frank, idiomatic chat of a man of the world about people and current events was displaced by abstract moral disquisitions, drawing their illustrations from remote allegorical sources, and clothed in measured phrase which scrupulously avoided the daily talk of men, and which constantly goads one into exclaiming, as Falstaff in reply to Pistol's announcement of the tidings: "I pr'ythee now, deliver them like a man of this world!"

The eighteenth century produced still another novelty in essay literature. Under a droll pretence of fiction, Laurence Sterne, in his *Tristram Shandy* and *The Sentimental Journey*, gives us a fascinating medley of sense and nonsense, of wit and pathos, of oddly conceived and sharply outlined characterizations, and minute and subtle observations. He is the most whimsical of humorists, one of the airiest of prose poets and most exquisite of word-artists. Taine, in contemptuous condemnation of Sterne, is utterly unconscious of crediting him with a whole catalogue of qualities as an essayist:

"His book is like a great storehouse of articles of *vertu* . . . of all ages, kinds, and countries. His pen leads him, he has neither sequence nor plan.

. . . He delights in disappointing us, in sending us astray by interruptions and delays. . . . In a well constituted mind, ideas march one after another with uniform motion and acceleration; in this odd brain, they jump about like a rout of masks at a carnival. . . . The tune is never for one moment the same; laughter comes, then the beginning of emotion, then scandal, then wonder, then sensibility, then laughter again!"

Sterne was, doubtless, a contemptible fellow, and a disgrace to the cloth. But we must give him a central place in the little chapel assigned to essayists in the great abbey of literature.

In coming to the English essay of the nineteenth century, we dismiss at once an imposing phalanx of British reviewers and critics, whose works are commonly so classed. These masterful and often leonine vivisections of authors, these eloquent orations on paper, these able state papers, these splendid historical tapestries or biographical portraiture, have no more relation to the true essay than a Roman toga or a coat of mail has to a dressing-gown or a peajacket. Of course, we are not including Carlyle nor Professor Wilson. The latter has the essay touch in all he wrote, whether the story of a tramp among the lochs and moors, a swift silhouette of a

contemporary, or a critique by wink and shrug and boisterous ha! ha! When Thomas Carlyle became possessed of his familiar spirit, Teufelsdröckh, he became a very Titan of essay. And yet Teufelsdröckh is but the intensified personality of Carlyle, manifesting itself in all his varied criticism of life, whether of men or books, of nations or individuals, of the past or the present, spurning all bondage to rules of logic or dictionaries or punctuation marks, a great intuitive, lightning-worded, self-disclosing soul.

Nothing could better illustrate the variety of style and the diversity of gifts which are included in the genius for essay, than the fact that the other great representative English essayist of the nineteenth century is Charles Lamb. Teufelsdröckh is as ungentle as Elia is "gentle." To read the former is like embarking on the rapids of Niagara; to read the latter is like an afternoon's row on the Thames in sight of London Bridge, and with the distant murmur of the Strand and Cheapside in our ears. The range of the former is from hero-worship and prophets to gigs and ballet-girls, from the Book of Job to "Tam O'Shanter," from Christianity to old clothes. Lamb never soars much higher than the chimney-pots of his beloved city, nor strays beyond its limits. He finds scope for his exquisite pathos and poetry, as well as humor, in its beggars and sweeps, its book-stalls and play-houses. And yet you will find this in common between the roar of the one and the dove-note of the other—they are the exact accent and dialect of the man at the moment.

We always associate Hazlitt and Leigh Hunt with Charles Lamb. The former must not be thought of too exclusively as a literary critic, though one of the most charming as well as keenest of book reviewers. The finest and most imperishable aroma of his genius is to be found in such essays as his "On the Want of Money," "Sitting for One's Picture," "Londoners and Country People," "Great and Little Things," and "Living to Oneself." Leigh Hunt is always Horace Skimpole in print. The subject seems to be utterly indifferent to him. It always starts him off on an airy, fanciful, and even fantastic talk on everything in earth and heaven, in Hampstead or at the world's end. He is preëminently the poet-essayist, as Horace Skimpole's Roman namesake was the essay-poet. We group about Lamb also Dr. John Brown, who has created a dog-heaven, at least on earth; "Boz," who would be recognized as one of the greatest of essayists if he were not one of the greatest of novelists; Thackeray, who is recognized as one of the greatest of

essayists despite his being one of the greatest of novelists. The genius of Landor has restored the dialogue essay of Plato and Xenophon and Fontenelle, and Sir Arthur Helps has transplanted it into the midst of the nineteenth century. Coleridge, in *Aids to Reflection* and *Table Talk*, and the Hares in *Guesses at Truth*, have paralleled the "Pensées" of Seneca and La Bruyère. The great Coleridge had his fits of essay in most of his writings, especially *The Friend* and *Biographia Literaria*, and he talked essay by the hour, "sitting on Ludgate Hill" or anywhere else that he could find an auditor.

The German mind does not tend to the essay. It is not satisfied to make assaults upon a subject, or to make excursions into it, but must go through it from one end to the other, and leave it a conquered territory. It produces great philosophers and critics. Even where there is the essay mood, it seldom embodies itself in the essay form. Justus Möser, J. G. Hamann, and the Baron von Rumohr are almost the only writers who formally wrote essays in the sense of Addison and Montaigne. We find the quality, however, by fits and starts throughout the nondescript writings of Richter, a confessed imitator of Sterne; in the floating fragments of Novalis; in the literary letters of Lessing; in Heine's sketches of life and travel. We find it in a still higher degree in Tieck's observations of street-scenes and common life about him; in Luther's letters and table talk, and some of his polemic pamphlets; and in the letters of Herder, Zelter, and Frau von Ense. The protean genius of Goethe, of course, develops this quality in great perfection, especially in his letters, his "Maxims and Reflections" and the *Italian Journey*; and it would not be difficult to compile a volume of distinctive essays from his *Wilhelm Meister* alone.

The difference of the French mind from the German is nowhere better shown than in its genius for essay. Not only does French literature abound in this form, but its essayists are among its most typical writers. I can only mention two or three, in addition to those of whom I have already had occasion to speak; and, as elsewhere throughout this article, not undertaking even to enumerate contemporary writers. Voltaire, like Goethe, was master in every form of composition. He is not one of the suggestive essayists; but, as some one says, "he does not demonstrate, he sympathizes." Like Horace and Pope and Boileau, he was an essayist in verse, because it was easier for him to write in that form than in prose. But into

all he wrote he carried "that indescribable thing called Voltaire." Montesquieu, in his *Lettres Persanes* and *Pensées Diverses*, has the concise, detached, and epigrammatic style of the essay, and is aptly described as "going at his subject in lively and impetuous sallies." He defines "a great thought" as one which suggests other thoughts, and which discovers to us what we could only hope to obtain by much reading. We can merely add suggestively the names of Voltaire's great followers, with the titles of some of their works—D'Alembert and Diderot, Duclos's *Reflexions*, Mme. de Staél's *Memoirs*, the *Advises* of the Marchioness de Lambert, the "whimsical and perpetual digressions" of Rabelais, and the miscellaneous writings of St. Marc Girardin. Some of the best essay writing of France is to be found in its memoirs and letters, such as those of the Duc de St. Simon and Mme. de Sévigné.

We need advert to scarcely any other continental literature, except to remark that the Russian novel of to-day is largely essay in a narrative form. And there are no more perfect essay forms than Turgeneff's *Poems in Prose*. Spanish literature is peculiar for its wealth of proverbs, which are essentially essay. Cervantes defines them as "short sentences drawn from long experience."

Doctor Franklin may be regarded as the pioneer of the American essay. Poor Richard's "Way to Wealth" was the way to a rich vein in our literature. Joseph Dennie, "the lay preacher," modelled his style on "the familiarity of Franklin's manner and the simplicity of Sterne's," full of allusion, refreshingly egotistical, and thrusting at the concrete evils and the specific follies of the time. *The Puritan, a Series of Essays, Critical, Moral, and Miscellaneous, by John Oldbug, Esq.*, was published at Boston in 1836, after the manner of the *Spectator*. The author chats about his ancestry, his early home, his books, his Uncle Gideon and Aunt Hannah, his humble neighbors, the parson, the doctor, the schoolmaster, and many marked individualities and scenes of village life, besides a variety of social topics and questions of ethics and æsthetics. *The Puritan* gets to be rather dry and "preachy" toward the last. But, in his preface, Mr. Oldbug shows his apprehension of the essay in these words: "I will find you twenty men who will write systems of metaphysics, over which the world shall yawn and doze and sleep, and pronounce their authors oracles of wisdom, for one who can trifle like Shakespeare, and teach the truest philosophy even when he seems to trifle most."

Washington Irving wrote his *Sketch-Book* and *Bracebridge Hall*

under the spell of the *Spectator*. He once told Mr. Labouchère that he studied style by reading Addison's essays, and then writing them out from memory, and comparing his own phrases with the original. He even undertook, with his friend Paulding, to publish an American *Spectator*. Irving, however, advanced upon his English prototype by a criticism of life which could take account alike of town and country, of the Old World and the New. He also indicated the American tendency to a closer observation of nature.

N. P. Willis was a sparkling sketcher of the surface aspects both of nature and of society, and exhibits the forced gayety of Christopher North without his robust hilarity, and the sentimentality of Leigh Hunt without his delicacy of touch. Edwin P. Whipple's critical essays are informed with his personality, his observation, and his wit. Hawthorne, in his note-books and in such sketches as "A Rill from a Town Pump," must be reckoned among our essayists. Thoreau inaugurated the peculiarly American school of minute and meditative observers of nature. Emerson is quite alone in the sententious vein, and we have nothing answering to the French "Pensées" unless it be Colton's *Lacon*. Our soil has been prolific of humorists, from "Jack Downing" and Neal's *Charcoal Sketches* to "Artemus Ward" and "Josh Billings."

But my space is covered. One cannot do more than sweep telescopically the crowded lights of the Milky Way. I must content myself with barely adding the names of Charles Lanman, Horace Bushnell, the late Dr. C. S. Henry, and "Timothy Titcomb," while still others, perhaps equally noteworthy, cannot even be mentioned.

FRANCIS N. ZABRISKIE.

THE TOWN'S MIND.

THE object of all town meetings in old colonial days was to learn the Town's Mind; whether it was for doing this, or for doing that, or for doing something else. In the warrants it was written with capital letters, and was alluded to as if it were a distinguished person, slow to act, and to be consulted on every matter, small and great. On the sixth day of August, 1739, the Town's Mind of Wareham, in the County of Plymouth, of the Province of Massachusetts Bay, was summoned for the first time "to make Choice of a town Clark and all other town officers."

The town clerk recorded in the town book the decisions of the Town's Mind. There is no romance in his annals; they deal only with the small facts that for the day interested the husbandmen, who were accustomed to think more about their woodlands, crops, cattle, and salt marshes than about the social life of the community. It must be confessed that, important man as he was, he did not always write the records in a scholarly style nor in a readable hand. He was frugal-minded. His closely written lines, running zigzag like a rail fence across the pages, reveal a desire to be saving of the book, and the formation of his words shows that no extravagance could be allowed in the use of the alphabet. The Wareham book testifies that one of the qualifications of some candidates for this office was an entire want of skill to write the English language correctly; a want which sore beset the men and women of colonial New England, notwithstanding the compulsory school laws. But there were exceptions; one of these was Jonathan Hunter, the first clerk of Wareham, who spelled his words like a scholar and wrote a hand that is easily read.

In the judgment of the Town's Mind the honors of this office were a fair compensation for its labors:

March, 1760, "voted Roland Swift Town Clark and he said he would serve for nothing"; March, 1761, "maid chois of Benjamin Fearing Town Clarck for the year Insuing without fees from ye Town and he Excepted."

Sometimes a town was willing to grant to its clerk a small amount of money, to be raised by a general tax, that he might piece out the

fees allowed him by law, which were called, in the vernacular, "the Proffites of the Townes Bookes"; for example, the adjacent town of Rochester, in 1711, "agreed with Peter Blackmer that twenty shillings in money should be raised by Rate to satisfie him for keeping of the town Booke for about eleven years past."

The treasurer of the town did not fare so well. A province law declared that he should have "such allowance for his services as the town shall agree to." When the treasurer was elected the Town's Mind agreed to allow him nothing more than "love and good will." We quote from the Wareham records:

In 1740, "chose Deacon Jirah Swift town treasurer and he is to Serve for what the Town will please to give him"; in 1746, "chose Samuel Burge Town treasurer and he is to Serve the Town for Love and good will"; in 1754, "voted John Fearing Town Treasurer for the year Insuing If he will Sarve ye Town on free cost."

After a time six shillings a year—or "sex shelangs," as the clerk of the period wrote it—were allowed the treasurer for his services, and in 1780 his salary was increased to \$10. This apparent extravagance can be accounted for by the fact that the paper currency of the country was at that time almost worthless; silver coins were scarce, and farm products, such as grain, wool, flax, and meats, were their only equivalents in trade and barter. The ten paper dollars paid to the treasurer in 1780 were not worth more than the "sex shelangs" of peaceful times, which, by the province laws of 1749, had been made equal to a Spanish milled dollar.

In addition to the clerk and the treasurer, the town's officers annually chosen were numerous. Some of them were authorized by legislative enactments and some by custom only. There were men "to make up accounts" with the treasurer; others to perambulate the boundaries; one "able man," called in the records the "Clark of the markit," to affix the town's seal to all weights and measures found to be true according to the standards sent out from England in the reign of William and Mary, and to destroy the false. To enable this officer to do his duty fairly, the town of Wareham, in 1747, bought a London set of "wates and mesuers" (as the clerk wrote it), at a cost of £10.

Good orthodox leather was considered to be a prime necessity, like orthodox preaching, and therefore men were chosen, who by authority of law stamped the town's mark upon all leather well and sufficiently tanned or curried; and who seized all unstamped and

defective leather offered for sale, whether it had been worked up or not. And as no man was allowed to make his own theology, so none was allowed to make his own leather, unless he was skilled in what the law styled "the feat or mystery of a tanner"; and if so skilled he was prohibited from exercising any other trade.

There were fence-viewers chosen, with reference to controversies waged by the owners of adjoining lands. Colony laws provided that fences between improved lands must be maintained by the owners in equal parts; if one improved his land before the other, and built the whole fence, the other was required to pay for and maintain one-half when he afterwards made his improvement. In case of a poor fence, or none at all, the viewers decided whether a fence should be erected or repaired, and what part of the expense each owner was to pay. Here is a record showing the manner of their proceeding at Wareham:

" May 12: 1746 Capt Israel Fearing warned Sam^{ll} Burge again to make up his Fence at Little Neck and also at Indian Neck and then upon Sam^{ll} Burge neglecting to make up his part of sd fence Capt Israel Fearing applied himself to us the fence-viewers of sd Town. We appeared on the nineteenth Day of this Instant May 1746 and proceeded as followeth (viz) Beginning In the Indian Neck with a Pine tree at the Cedar fence as it now Stands 78 Rods to a Stake—This part for Capt Israel Fearing to make and maintain allowing Sam^{ll} Burge so many pine Sticks as will make three Rods and three feet of fence and that sd Burge Shall Cut sd Sticks within a year from the Date hereof—the other half part is to Run Sufficiently into the salt water as the fence now stands and this for said Burge to make and maintain and both partys Fearing and Burge their Heirs and assigns are to make and maintain the fence as above mentioned as Long as they Improve the Land and Meadows as they now Lye. George White Thomas Bates fence Viewers. Recorded May ye 24d 1746 by me Jonathan Hunter town Clark."

There were inspectors of highways; also inspectors of rivers, who were sworn to secure to shad and alewives a free passage up and down the town's streams. There were hog-reeves, to see that when hogs went abroad they wore rings in their noses, and yokes of the regulation size on their necks. The law called them "meet persons"; but they were unpopular, as they made fees by using their authority to seize all swine found without a keeper, a yoke, a tethering line, or snout rings, "so as to prevent damage by rooting." Benjamin Smith, of Taunton, sent this petition to the Massachusetts Legislature, in December, 1722:

" Shewing That being the Hog Reve of the said Town He suffered much in the Execution of that Office, And Praying that this Court would determine Whether his Oath is not a good & lawful Evidence Though he be Hog Reve."

When, in later times, as swine became less numerous, the office became a sinecure, the popular candidate for it was usually the last bridegroom in the town.

Two tything-men, called in the vernacular "tidymen," were chosen from those who were supposed to be the most prudent and discreet. Every incumbent of this office had need of prudence and discretion, for, although he no longer, as in earlier times, took "the charge of ten or twelve Familyes of his Neibour-hood" to "diligently inspect them," he was required to watch licensed houses of entertainment, and to make complaint of all disorders and misdemeanors discovered therein. He also reported to His Majesty's justice of the peace all idle persons, "prophane swearers or cursers Sabbath breakers and the like offenders." His presence in the tavern, the shop, or the store, was a signal for silence and sobriety.

Because, said a province law of 1710, "bundles of shingles are mark'd for a greater number than what they contain," two skilful men were chosen to see that neighbors did not cheat each other in trading for shingles and other lumber. Then, there was a town gauger, appointed by His Majesty's justice of the peace, to gauge and mark all casks of rum and molasses exposed for sale. The necessity for this officer, also, grew out of the total depravity of His Majesty's good subjects, in whose casks and hogsheads, said the law of 1718, "there hath been wanting seven or eight gallons and sometimes more which persons are obliged to pay for"!

As military service was compulsory upon men between sixteen and sixty years of age, the town had its militia company and members of the county horse troop; and a military clerk, who four times a year listed all persons required by law "to bear arms and duly attend all musters." He collected fines from those who failed to answer the roll-calls on training days, retaining "one quarter part for his pains and trouble." Those who failed to pay the fines were punished by being made to lie neck and heels together, or to ride the wooden horse for an hour.

Other officers of the town were a cattle-pound keeper, who lived by poundage, or fees; a sheep-yarder, who yarded stray sheep, from December to March, at two-pence a head and expenses of keeping; a man "to Tack care of the meeting House and Sweep the Saim," and "to keep the dores & windows shet." His compensation was eight silver shillings a year, or one dollar and thirty-three cents. Two wardens were chosen, "to Inspect ye meeting Hous on ye

Lord's Day and see to Good Order among ye Boys"; for it was customary to separate children from their parents, to place them together in uncomfortable seats, sometimes on the gallery stairs, and to set inspectors over them. If they were discovered laughing or playing during the time of public worship, these inspectors, or wardens, complained of them to His Majesty's justice of the peace, who punished them according to law. Esquire John Fearing, Justice of the Peace at Wareham, from 1755 until the Revolution, made many records in his book like the one which we copy here:

"January the 1 Day 1762 Then Jeremiah Bump paid to me Ten Shillings as a fine for his Son Joseph Bump For Laughing in the meeting House in the Time of Publick Service on the Lords Day he Being Complained of by Barnabas Bates Warden."

If the Town's Mind decided to have a schoolmaster to teach children to read and write, one citizen was chosen "to Git a sutable man" and to assign him work in the four quarters of the township, two months in each quarter, "provided," as the clerk wrote, "the tarmes such a man would Sarve the town for" were satisfactory. Frequently there was no school in the town, the people being unwilling to be taxed for a schoolmaster's wages and keeping; then it became necessary to choose a man "to answer the presentment" of the Grand Jury of Plymouth County, for not having a school.

The office of constable was of high reputation and, as in old Saxon times, so now, it was intended that only those should have it who were "honest and able men both in body and estate and not of the meaner sort." Every constable, said a Plymouth Colony law, "shall have a Black Staffe tip't with Brasse as a Badge of his office which as he hath opportunity he shall take with hi n when he goeth to discharge any part of his office." He was therefore popularly known by the irreverent as tipstaff. He gathered the taxes allotted for general expenses of the town, and those allotted for support of the minister, separately. "What the Constables are to Gather," says the town treasurer's book, "in the year 1755—Nathan Landers is to Gather of the ministers Rate £28-10-11 and to Gather of the Town Rate £18-17-1 and Noah Fearing is to Gather of ye ministers Rate £24-15-9 and to Gather of the Town Rate £14-2-2." The warrant for town meeting was addressed to him by the selectmen. It ran: "In his Majesties name to Require you to notifie the Freeholders and other inhabitants Quallified as the Law Directs to vote in Town Meeting that they meet and assemble themselves

together at the meeting House to know the Town's Mind" in regard to the various questions stated in the warrant. This document was copied in the town book to perpetuate the record of the meeting; and the constable therein certified that he had notified the inhabitants "by setting up the warrant at the meeting House," by which he meant that he had nailed it upon the principal door of that building, where everybody could read it on Sunday.

No one sought the office of constable, but whoever was elected was required to accept it, or to pay the fine fixed by law for refusing to take the oath; and this requirement has continued the same in Massachusetts to this day. In 1751 a town meeting was adjourned six times to elect men who would consent to take the constable's oath of office, and David Besse was chosen to prosecute "delinquent constables" on behalf of the town. It was necessary for the Town's Mind to be lenient in dealing with this antipathy to the office; therefore the fine imposed upon Benjamin Fearing "for being delinquent in the office of constable" was remitted on condition that he procured a substitute. In 1752 Butler Wing, being elected constable, refused to serve; whereupon he was prosecuted, and he gave his promissory note for the amount of the fine. The note was not paid when it fell due. He appealed repeatedly to be excused from the debt; but the Town's Mind was unmoved, and in 1755 it directed the clerk to enter upon the book its decision, that it would

"not a Bate mr Butler Wing any Part of the money that he gave a note for for his Refusing to Sarve in the office of Constable when chosen by the Town in ye year 1752."

The sequel of this matter is found in the town treasurer's records of 1756, viz.:

"I have Reseved a fine paid by Butler Wing for not Sarving Constable in the Town of Wareham 2 pounds 14 Shillings."

In the town records of March 11, 1771, we read as follows:

"Voated Josiah Stevens Constable. Josiah Declained and Promused in ye meeting If ye town Let him alone and Did Not make him Sarve Constable this year he would Sarve the town as a Constable Next year."

And the town let him alone, as he desired.

Of all the town officers the selectmen were chief. There were three of them chosen annually to direct the prudential affairs, and their expenses were paid when they were engaged in official business. Their meetings were held at the tavern, where they usually sat the day out, having the town clerk at hand to record their orders, served

with victuals and grog at the town's cost, and regarded by their host with a respect due to servants of the king. They prepared business for the town meetings and nominated town officers for election. They looked up undesirable residents and were active (to quote the records of 1767) in "worning Pepel oot of Town." In 1768 they sent Jeams Baker out of town at a cost of fifteen shillings; Nathan Bump was exported at a cost of six shillings; eight shillings were paid for carrying away "a black child"; and Elisha Burgess received twenty shillings for carting out a whole family. Rams were in higher favor than these friendless sojourners. They had the freedom of the town until 1781, when it was ordered that they "shall be taken in" by the 1st of September. But as they continued to stand at the street corners, the Town's Mind rose in anger, and declared that "if a Ram goes at large the owner shall pay a dollar to him that takes up said Ram."

The selectmen offered to the town meeting a variety of subjects for consideration. Some related to the extermination of foxes, crows, and other farm pests; to the protection of oyster fishing on the bay shores; to the catching and selling of alewives entering the town's rivers; to the acceptance of highways; to repairs of the meeting-house; to the minister's salary and the ministry lands; to the herding of sheep; to the yoking of hogs on the commons; to such questions as whether the town will "have a school this year"; or "will choose a representative at the Great and General Court appointed to be convened for His Majesty's service in Boston"; or "will make new irons for the town-stocks, or a new whipping-post." Some measures discussed were medical, as "not to have Small Pox set up by Inoculation;" some were convivial, as "To pay Joshua Gibbs for two bowls of Grog" drunk while on the town's service; some were pathetic, as "voted for makeing a Coffen for Alice Reed ten shillings—for her Winding Sheat three and four pence—for digging her grave threē shillings"; to pay "the Wido Debre Savery for Fethers she Put in Jemima Wing's bed when Sick Six Shillings"; to pay "Six Shillings to Sam" Savery for his Trouble and care of John Pennerine." This last-named beneficiary was one of a large number of poor, ignorant, and superstitious peasants, called French Neutrals, brought as prisoners from Acadia, who were billeted upon the towns of Massachusetts by orders of the royal Governor and Council, like the following:

"To remove John Pelerine Wife and Children, supposed to be Five in Num-

ber a Family of said French Neutrals to the Town of Wareham, and that the Select Men of the Town of Wareham be and hereby are directed to receive them and provide for them." (April, 1757.)

Alice Reed, whose coffin, winding-sheet, and grave thus cost the town sixteen shillings and four pence, had been one of the town's poor, annually put out by the selectmen to be kept at public expense. How to dispose of such people was a subject which periodically exercised the Town's Mind, and it was doubtless a consolation to know that some of the oaths and curses uttered in public had been turned by His Majesty's justice of the peace into shillings for their benefit, as the law directed. They began to call for support in 1746, when the town paid £12 for keeping "Jane Bump so called with victuals and cloaths." The next year she was returned to the selectmen, who, not knowing what to do with her, pressed the town "to do Sumthing for ye Support of Geen Bump." In 1754 appeared the widow Reliance Bumpus, who placed her whole reliance upon the town treasury for twenty years. A short time before she had enjoyed a merited credit with her neighbors, in regard to which an old account-book testifies as follows:

"November ye 24 1751 ye widow Reliance bumpus Dr for 16 pounds of porck 1 bushall of corn and 1 gallon of malases and 1 pound of Ches"—"July 1752 Reconed with Relyanc bumpus and all accounts balanced."

Her widowhood was soon followed by poverty, and then she turned to the selectmen for help. John Bishop, the town clerk, says:

When "the votable inhabitanice convened in His Majesties name September 24, 1754 John Bumpus ye 3d Came Into ye meeting and maid the offer ye town that he would Keep ye widow Reliance Bumpus one year Kuming for six Pounds Thirteen Shillings and four Pence Lawfull money and ye Mordarator Put it to vote to know ye Mind of ye town whether they ware willing to allow ye sd Jno Bumpus ye 3d the money he asked to keep ye aforesd widow one year and ye vote Past in the Affirmative."

Thus the poor widows Bump and Bumpus, descendants of Edward Bompasse, who came to "new Plimoth" in the little ship *Fortune* from London in 1621, secured a place in recorded history. Other poor widows achieved the same distinction, and became their companions at the public crib. A warrant for a town meeting in 1757 stated a wish "To know the Towns Mind whether they will do anything for the Support of Sarah Chubbuck it being the Desire of her Brother Benjamin"—a request which suggests that family pride in this respect was not a virtue universally appreciated. In the same year Jane George joined the poor widows' band, and became

famous, inasmuch as she participated in its joys and sorrows for fifty years.

The prices at which the poor widows were farmed out varied annually, but in 1770 their value was uniform at £3 each *per annum*, taken as they ran. Their keeping was so profitable, in services rendered by them, as to induce the town to vote repeatedly "Not to build a poor-house," and a convenient plan for disposing of them was adopted; it was to sell them at auction. At a town meeting in 1776 it was voted, "to vendue the Widow Lovell." She was accordingly set up by the selectmen, and, as the records state, "was struck of to Josiah Stevens for to keep one year for the Sum of nine pounds Six shillings & if She did not live the year in he to have in that proportion." But she "lived the year in," and continued to appear at the annual auction. In 1782 the town voted to buy her a shirt, and then sold her again. After transfers to various homes her death is disclosed in this record of September, 1784: "Voted for a winding sheet and a shift for the Widow Lovell eight shillings." And that was the end of her. But Jane George lived on, and into the next century, surviving all her contemporaries. Through nearly two generations the standing inquiry by the farmers was—Who's going to buy George? She began to be one of the town's poor in 1757; she was set up at vendue for the last time in 1808, when, before she passed from the public stage, dilapidated as she undoubtedly was, the town voted to pay "for Extra Mending Jane George four dollars."

Not every one who came to town meeting was allowed to vote there. The laws of 1692 described qualified voters as owners of real-estate in fee simple, and "inhabitants who are ratable at twenty pounds estate." In 1743 the laws compelled voters to be personally present at the meeting, and all could vote on town matters who had a ratable estate of £20 value in the town; but at the elections of representatives to the Great and General Court at Boston, only those could vote who owned a landed estate yielding an annual income of forty shillings "at the least." This qualification was fixed by the charter of William and Mary, and it is worthy of note that the same ruled in the first municipal corporation in England of which there is an authentic record, one granted in the year 1439 by Henry VI. to the town of Kingston-upon-Hull:*

* My authority for this is Merewether and Stephens's *History of Boroughs and Municipal Corporations*, 1835; although a corporate existence by royal favor has been erroneously claimed for towns at an earlier date.

"To remedy the great evils arising from the elections being made by outrageous and excessive numbers of people dwelling in the counties, most part of small substance, pretending to have a voice equivalent to the most worthy knights and esquires."

Our narrative shows that the town meeting was a primary and not a representative assembly. There was no appeal from its decisions. A moderator was chosen at each session to preside over it. Men sat with their hats on, as in the House of Commons, and as this was a place where all were on a uniform level in regard to personal rights and opinions, there were frequent disagreements and disorders among those present. A province law of 1715 gave special powers to the moderator, because, as the law recited, "by reason of the disorderly carriage of some persons in said meetings the affairs and business thereof is very much retarded and obstructed."

In some respects the town meeting resembled the parish vestry meeting of Old England two hundred and fifty years ago. Extracts from the vestry book of a small Somerset parish, begun in 1666 and continued nearly a hundred years, which were published in the *London Times* of August 20, 1886, show a degree of similarity in the business transacted by the two. The vestrymen, for example, discussed expenditures for taking care of the church or meeting-house, for "glazing the Church windes," for "minding the bell whell," for killing foxes, "hedg hoggs," rooks, sparrows, and other farm pests. The vestry clerk wrote his "regester booke" (sometimes spelt "rad-gester") in words of the same illiterate formation as those we have quoted from the town-meeting records. He may be considered as the original of the town clerk. It may also be noted that some of the customs observed in the town, as the arrangement of the congregation by rank in riches and titles, the sale of town paupers at public outcry, the appointment of dog-whippers to beat out dogs in meeting time, and the practice of nailing on the meeting-house (or church) door wolves' heads, and other similar trophies, captured for the town's bounty, were all inheritances from the English parish.

Nevertheless we may believe that the colonial town meeting, in its complete character, was an institution of New England origin, and not an imitation of anything that had existed on the other side of the Atlantic.

WILLIAM ROOT BLISS.

A GREEK GIRL'S OUTING.

IT was near the close of the third year in the 102d Olympiad (about 350 years before Christ), during the last week of the month Elaphebolion, which corresponds to our April. Morning had dawned fair on Olympus, but the clouds that veiled its awful summit hid from mortal sight the home of Zeus and Hera, and hung like a curtain of white samite before the gate of heaven. To the west and southwest stretched the "storm-buffeted" *Ægean*, now, however, lying as calmly as a sleeping child, and bathing the fair islands of the Cyclades in summer balm. Fairest of all was Delos, the smallest of the group—the birthplace of Apollo and Diana. Supernatural in its very origin, it had risen from the sea at the stroke of Neptune's trident, and floated on the waves of the *Ægean* like a fair emerald until Zeus, the all-powerful, moored it to the bottom with chains of adamant, that it might be a place of refuge for Latona in her hour of trial.

Such an atom of an island as it was—only seven or eight miles in circumference, and its breadth but a third of its small length. Mount Cynthus ran from north to south, terminating in a plain that on the west side reached the sea. In this plain stood the city of Delos, with its art, its commerce, and its sacred places. In fact, so sacred was the soil of the whole island in the eyes of ancient Hellas, that, by the enactment of a law so strange that the whole world wondered, it was denied the holy chrism of birth and death. Mothers went to the adjacent islands to give birth to their children, and Rhenea, her nearest neighbor in the group of the Cyclades, was the graveyard of Delos.

On the banks of the little river Inopus, near Lake Trochœides, stood the villa of the noble Greek Theodorus, its white walls gleaming out in bold relief against the dark background of an olive grove. Above it rose the barren heights of Mount Cynthus; but the house itself was set in the midst of luxuriant palm-trees, and surrounded by gardens of wonderful beauty. It was neither the historic Greek house, nor the palace-house of the Homeric poems; Theodorus had followed his own taste, deviating at will from tradition and custom alike, and the result was charming.

The villa was long and somewhat narrow. From a beautiful vestibule, supported by graceful Ionic columns, doors opened on either side into two square rooms, forming respectively the reception chambers of the master and mistress of the domain. From the vestibule itself one passed into a long corridor, on one side of which were apartments in daily use ; on the other, an open court, with its exquisitely carved colonnades, its tessellated pavements, and its fountain tossing high the sparkling, perfumed spray that took on every hue of the rainbow ere it fell back into the great basin carved from the marble of Hymettus. Beyond this court was a large square chamber, the living-room of the fair wife of Theodorus, the lady Aurelia.

Here, then, we find her this April morning in the 102d Olympiad —2236 years ago—a beautiful and stately matron, with her dark hair coiled low, jewels in her delicate ears, and wearing a long, soft chiton of white woollen stuff, fastened on the shoulders with jewelled clasps. Her shapely arms were half hidden, half exposed, as she bent over her embroidery frame, and drew in and out the silken threads with which she was forming the petals of a rose. A pair of white Sicilian doves swung beside her in a golden cage. A gay macaw, brought by her lord when last he came from Carthage, chattered on its perch, or swung by one claw as he ruffled his glittering plumage in feigned anger.

The room was almost bare of furniture ; a couch or two, covered with rare eastern tapestries, a small table of porphyry and another of carven wood, a bronze toilet-case of exquisite workmanship—this was all. But there were statues of Apollo and Diana on either side the doorway ; rare frescoes adorned the walls and ceilings ; there were costly rugs from Babylon ; and from Persia, wonderfully wrought jars and pitchers of silver, inlaid with gold.

The fair mistress of all this luxury was not alone. At the lower end of the room were three young maidens—slaves, no doubt—busy with distaff and spindle, while they talked merrily with one another in low undertones. Evidently the lady Aurelia was not a hard task-mistress. Indeed, the slave maidens seemed more light-hearted than she ; for her eyes turned often, with the gloom of speculation in them, toward a young girl who sat near her, idly rolling and unrolling a small parchment scroll. She, too, had her embroidery frame upon her knee ; but the bright silks lay tangled in her lap, as with upturned, thoughtful gaze she looked across the

shining sea to the far north, where the lofty, snow-crowned head of Mount Olympus hung like a pearl in the azure heavens.

"What have you there, Leucippe?" asked the lady Aurelia, at last, dropping her needle half impatiently. "Embroidery is better for you than so much reading. What scroll is that?"

"It was left in my father's chamber, yesterday, by his friend Speusippus, the nephew of Plato, who was his guest at dinner. Hear this, my mother."

Unrolling the scroll she read as follows: "O thou who art the king of heaven, grant us what is useful to us, whether we ask it, or whether we ask it not! Refuse us what would be hurtful to us, even should we ask it!"

The lady Aurelia's lip curled slightly, as she said, "A lofty sentiment, truly; but, for my part, I doubt if the great gods hearken to half-hearted petitions. I put no 'ifs' or 'whethers' in my prayers. What I ask for, that I want. Who wrote the words?"

"They are credited to some ancient poet whose name is not given," answered Leucippe. "The little scroll contains a collection of poems and noble thoughts chosen and copied by Phocion, as a birthday offering to Plato. How his friends and pupils love him!"

"Always 'Plato, Plato'!" cried the mother. "Methinks the men of Athens are going mad!"

"And not the men only, if to love Plato be madness," replied Leucippe. "My father told me yesterday that a young Arcadian girl, named Axiothea, after reading some of the dialogues of Plato, had quitted everything, even to the giving up of her woman's dress, in order to attend his lectures at the Academy."

"And did my lord, your father, approve such unmaidenly behavior?"

"He did not say so," was the low response; "yet he threw no stones at her. My father is generous—even to women."

"Cora, bring hither your lyre, I would have music," said the lady Aurelia, calling to one of the maidens at the lower end of the room. "Leucippe, make greater speed with your needle, or that robe will not be finished in time for the festival. It will be to our shame and disgrace if the vestments of Diana are not renewed ere then."

For half an hour there was no sound in the room save the clear ringing of Cora's voice, as she sang song after song to the soft accompaniment of the lyre.

Meanwhile Leucippe's needle flew with feverish haste. "See, my

mother," she cried, at last, "I have not been so idle as you think! Two hand-breadths more, and this broad border will be finished. Will it win for me the favor of the goddess, do you think?"

"Certainly, my child; that is, if you make the offering willingly."

"And will she, in return, grant me my desires?"

"Yes," answered the mother, a little dubiously. "Depending, doubtless, somewhat on the nature of the desires. However, your poet, whom you quoted an hour ago, would have us so ingeniously word our requests that our prayers will be answered, even in their denial. What do you want now?"—with a strong accent on the last word.

Leucippe flushed until her cheeks were crimson. "I have never left this little island," she said, under her breath. "I am tired of blue seas and blue skies; tired of Delos! I would see something else."

"An island which is sacred to the most high gods, my daughter. We who dwell here are indeed favored among mortals. Look yonder! see how Apollo frowns upon your discontent."

A shadow from the flickering leaves fell upon the face of the statue at that moment, so that it seemed indeed as if there was a frown upon the bending forehead and in the deep-set eyes. Leucippe made a slight involuntary gesture, as of deprecation.

"But there are other sacred places in Greece; there are other temples as holy as ours, and perhaps even more magnificent, and I—"

"Hush!" cried the mother, rising with outstretched hand; "this is blasphemy. Do you not know that from this very window your eyes can behold one of the great marvels of the world? Where will you find such another altar, builded by Apollo himself when he was but an infant of four years; and not of gold, nor silver, nor precious eastern woods, but of the horns of goats slain by the goddess Diana upon this very Mount Cynthus, the rugged heights of which are behind you?"

"I know it, my mother. How can I forget that which you have taught me from my childhood up? But our great Apollo is worshipped elsewhere, and there are other gods than he. Perhaps there are gods we never heard of—who knows? Gods that are as great as Apollo, or even as Zeus himself. How can we know, we who are not gods? They do not tell us, and be sure they never will."

The lady Aurelia looked at her mutinous daughter with uncom-

prehending, yet troubled, eyes. It was the old, old story of the hen and the duckling. "This comes," she said, severely, "of too much reading. If I had my will—but you are too like your father, always asking strange questions, and trying to answer them; questions that seem to me idler than the empty wind. Women should attend to their households, their spinning and weaving and needle-work, and leave vain speculations alone."

The young girl arose and threw herself upon her mother's breast impulsively. "Nay, mother mine," she cried, "do not blame me that I ask questions. I would not be irreverent to the great gods. The wise men at Athens must have dared to ask them, for do you not know they have erected a new altar, not to Zeus, nor Apollo, nor Athene, but to the Unknown God? Who is he but a god of whom our traditions and our priests do not tell us? Mother!"

"What, my child?"

"My father goes to Athens next week, and thence to Delphi, to attend the Pythian Games, where, as you know, Cleomenes enters the lists, and is to contend for one of the prizes in poetry. He has written a hymn to Apollo. Do you suppose, if I make haste to finish this chiton for Diana, and carry it to her with many prayers, she will put it into my father's heart to take me with him?"

Her mother's eyes brightened with a slow smile, as she looked for a moment at her daughter, without speaking. Then she said: "No intervention of the gods is needful to induce my lord Theodorus to let you have your own way. However, you will do well to finish the embroidery."

"That I shall, and carry it to the temple to-morrow," cried Leucippe, as eagerly as if she had never questioned the supremacy of her Delian gods. "Only promise me, dear mother, that you will not interfere if my father does but consent to take me with him."

The beautiful embroidered robe was finished on the morrow, and laid, with what maidenly sighs and prayers we may not know, upon the altar of Diana. How much the goddess bestirred herself to influence the heart of Theodorus in behalf of her young votary is also hidden from us, but when he started on the journey to Athens and Delphi, Leucippe went also.

The mother did not really protest against this, in spite of what she had said to Leucippe; knowing that she herself received from her husband an honorable consideration, a tender courtesy, not often bestowed upon their wives by the men of Greece, and remembering

how freely he had encouraged her to walk by his side in all things, she could not interfere in his management of their young daughter. As Leucippe had said, he was generous, even to women. This generosity was his by inheritance. There had always been in Greece families of high rank and fortune who still followed, both in theory and in practice, the usages of the old Homeric days as to the position of women; they were a law unto themselves, and did not hesitate to trample tradition and custom under foot. Of such a race came Theodorus. His own mother and sisters had been carefully and broadly educated. He had found in them companions and friends, capable of sharing his thoughts and sympathizing in his aspirations. If he found any lack in his beautiful wife, she never knew it; but it was to his young daughter that he turned for the fulfilment of his hopes. It was his will that she should share the studies of his ward Cleomenes; should read the same books and be trained by the same masters, in so far as the difference in their ages would permit. The two had grown up like brother and sister. Even after Cleomenes had attained his majority, had journeyed to Athens to take formal possession of his inheritance, and, armed with spear and shield, had kept solemn vigil in the sanctuary of Agraulus before taking the oath by which all Athenian youth consecrated themselves to the service of their country, he had returned to Delos, and for two years longer had been one of the household of Theodorus.

The little harbor of Delos was alive with the white sails of the bird-like craft that flew hither and thither on that fair spring morning, but like a giant among pygmies towered the black hull of Theodorus's own galley, the *Cygnus*, with its six ranks of rowers, its richly carved prow holding aloft the silver swan, and its pavilion of purple silk, under which his fair daughter could recline at will. Cora accompanied her young mistress, and Manette also; the latter a matron of calm and dignified aspect, who, as she had been Leucippe's nurse from her birth, now held in the household the position of a trustworthy friend rather than that of a servant.

Who can describe, or even imagine, the rapture of that first delightful voyage, as the stately barge wound its way among the islands of the Cyclades? Past Rhenea, with its crowded tombs, where the long ranks of the Delian dead lay buried; past Tenos, with its venerable groves and its superb temple, sacred to Poseidon; catching a glimpse of Andros, with its verdure-covered mountains and its life-giving springs; skirting fair Syros, and shunning wild and

rocky Gyaros, fitted only for a rendezvous for robbers and banditti ; stopping for an hour at beautiful Ceos, where the shepherds consecrate their flocks to Aristæus ; and then on, rounding the sharp point of the Attican peninsula, and up the blue Saronic Gulf into the famous harbor of the Piræus, one of the three sea-gates of Athens.

It was a clear, moonlit night. Leucippe and Theodorus stood near the prow of the boat. Her veil was lifted, and her dark hair, loosened from its fillet, floated back upon the wind ; her hands were clasped over her father's arm, and her breath came quickly as she leaned forward with parted lips, and cheeks glowing with excitement. The two towers of the port were passed. Behind them, to the southwest, the tomb of Themistocles gleamed like a white star. Before, lay Port Cantharus, with its frowning arsenal. In the dim distance soared the shadowy heights of Mount Hymettus. Suddenly the vessel veered to the left, and the Acropolis rose before them, strong and clear in the moonlight.

"Look yonder, my daughter," cried Theodorus, as he bowed his head in swift salute ; "behold Pallas-Athene!"

There she stood, the colossal warrior-maid, the white wonder, the pure, majestic guardian of Athens, with the clear, dark Grecian sky above and around her, in her hands her glittering spear and shield, and beneath her feet the magnificent temples and towers of the sleeping city.

"Think you Cleomenes is here, my father ?" asked Leucippe, as the galley neared the quay.

"Not he," was the answer. "He is at Delphi with the other contestants long before this, vexing the night with the rehearsal of his hymn. He has worn out both voice and cithara ere this, I apprehend. Ambition is a good thing ; but he who enters the lists at Delphi must be prepared for defeat, and so must his friends as well."

"I am not prepared for it," cried Leucippe, eagerly. "My brother Cleomenes can do anything."

Theodorus smiled under cover of the darkness, as he placed Leucippe in the light carriage that was to convey them up the long street of Theseus, to the city.

"Thy brother Cleomenes," he said, ironically, with a slight emphasis on the brother, "is quite a promising youth, but he has yet to prove what metal he is of."

The carriage stopped at length before a large and handsome house, that of the Archon Antimachus, who had long been the

closest friend of Theodorus. It was built of the purest marble, once white as snow, but now softened and mellowed by time ; and the exquisite carvings of columns and capitals, with their delicate outlines and light traceries, looked in the soft moonlight like shadows flung by the flickering ilex leaves. Between it and the street was a court, or yard, but a few feet in depth, where the green turf was like velvet, and containing a stone altar with a small statue of Zeus, to which they paid mute reverence as they passed it on their way to the brazen door, with its inscription of welcome.

Here they were received with true Grecian hospitality by Antimachus and his wife, Lystrate ; and from this beautiful home, after three days, Leucippe wrote thus to her mother :

“ LEUCIPPE, DAUGHTER OF THEODORUS, TO THE LADY AURELIA, *Greeting :* The favor of the gods be with thee, O my mother ! The *Cygnus* will return to Delos to-morrow, and my father bids me write thee that we are thus far safely on our journey. Of our voyage I will tell thee hereafter ; but now thou wilt be glad to know of our welfare and happiness, and that we reached here just in the midst of the great Panathenaic festival. On the very night after our arrival was the great torch-race in honor of Hephaestus and Pallas-Athene ; and the whole world seemed ablaze as the lithe, swift runners darted toward the goal, each striving to keep his torch alight. Only the handsomest and fleetest youths in Athens are allowed to contend ; and our Cleomenes was there, though my father said he would not be. Art thou not glad ? He did not take the prize, for one was swifter-footed than he ; but he kept the torch blazing to the very end. I threw him a garland—for thy sake.

“ Lystrate, who loves thee well, is very kind to me, as also her daughter Marcia, whom Cleomenes thinks the most beautiful maiden in Athens. I do not know how that may be ; I think I have seen as fair, even in Delos. But she is good and fair, and is just my age, so that we are good comrades. Yesterday was the chief day of the festival, when the peplos was offered to Athene ; and the matrons and maidens walked in the great procession, carrying costly vessels of gold and silver, to be used in the sacrifices. Nay, I mistake. The vessels were borne by the matrons, while the most beautiful and graceful of the maidens carried on their heads baskets filled with flowers, fruit, and frankincense ; and—can you believe it ?—Antimachus says all beauty is sacred to the most high gods, and on this day, of all the year, the fair Athenian virgins walk unveiled !

“ I walked with Marcia in the brilliant train ; Antimachus and Lystrate would have it so, as I am their guest, and my father is almost an Athenian. It was well I had my best attire with me. I wore the white silk robe wrought with the silver bees, and the fringed border ; and was glad indeed that Cora had not forgotten the golden pins and the ear-rings my father brought from Tyre.

“ Last night Antimachus asked me what in all Athens I wanted most to see. I could not tell him an untruth. I told him it was not the temples, nor the Parthenon, nor the finest sculpture of the whole world. It was Plato ! But I do not expect it, though Marcia says he is but a man, like other men. Farewell, my mother. My father sends thee greeting. The gods be with thee !

“ THY DAUGHTER, LEUCIPPE.”

It would be pleasant to linger with them in Athens; to tell how, under the roof of Antimachus, Leucippe did indeed, with downcast, reverent eyes and throbbing heart, listen to the voice of Plato, which seemed to her as the voice of a god; and how her host, won over by her beauty, her modesty, and, more than all, by her eager yearning after truth and wisdom, swore by Minerva herself that she should go to the Academy and listen to the lectures. Do not the chronicles declare that Lystrate, the wife of Antimachus, and Leucippe, the daughter of Theodorus, did on more than one occasion cover themselves with himations of some dark, inconspicuous fabric, and, unnoticed and unmolested, attend sundry lectures of Plato at the Academy?

But in a week the Pythian Games were to begin at Delphi, in Phocis; and thither they went, accompanied by Antimachus, Lystrate, and Marcia. Embarking at Pagæ, they made the harbor of Cyrrha, a small town at the foot of Mount Cirphis. Between this mountain and Parnassus lies a long valley in which the chariot and horse races were held, and through which the river Plistus runs, between the fairest of blooming meadows. But without making long delay here, they took one of the direct roads to Delphi.

The city presented itself to their view in the form of an amphitheatre on the south-west declivity of Mount Parnassus. It lay in a secluded, mountainous region, picturesque with wild peaks, rude rocks, and precipitous cliffs. Even at a great distance they were able to distinguish the splendid domes and towers of the Temple of Apollo, and the sheen of the army of statues that adorned the town; but not the sheen of polished marble alone, for many of them were covered with gold, and reflected the rays of the setting sun with a dazzling fulgence.

To Leucippe's young eyes the scene was one of startling magnificence; for, even as they looked, advancing slowly over the plain and down from the hills, came long processions of boys and girls, each vying with the other for the palm of grace and beauty. From the mountain heights and the sea-coast alike, a vast multitude was hurrying toward Delphi.

The next day our party, under the guidance of Antimachus, began their examination of the sacred riches of the city. Masterpieces of art met them at every step. Here were the treasures of the Athenians, the Thebans, the Cnidians, the Syracusans. Here were many shrines, and statues of gods and heroes that could not

be counted; here were sumptuous offerings of kings and princes; here were stored in dazzling array the splendid gifts of Crœsus; here, with wondering eyes, Leucippe beheld the necklace worn by Helen of Troy, and immense palm-trees, the leaves of which were silver and the fruit gold.

At last they entered the temple, over the gate of which was a tablet containing a word of two letters, which has been variously interpreted. Its real significance seems to have been "Thou art." Hard by was another inscription, "Let no one approach these places but with pure hands." Within, one of the first things to attract the attention of our travellers was, standing amid the statues of the gods, the seat in which Pindar sang his Apollinean hymns, for thus highly did Hellas honor her poets.

For many hours Leucippe looked and listened. "My eyes are tired of seeing, and my ears of hearing," she cried at last. "I can bear no more. O my father, let us go hence!"

"But have you no question to propound to the oracle?" asked Theodorus. "For one, I do not care to come so far and go away no wiser than I came."

"The Pythia does not mount the tripod until to-morrow," said Antimachus. "We can return then, and you can ask whatever you wish."

Antimachus spoke with grave sincerity; but in the eyes of Theodorus there was the lurking devil of disbelief. Even then wise men among the Greeks, while, perhaps, heartily believing in the gods themselves, had begun to question the validity of the oracular utterances.

How brilliant the sky seemed, how pure and clear the air, as they emerged from the temple, which was cloudy with smoke and incense! At the foot of the hill, a deputation from the Peloponnesus, laden with gifts and garlanded with flowers, had just arrived and were forming ranks; while the shouts, the music, the imposing ceremonies, the tumultuous joy, the rapidly changing spectacles, all united to make the prospect august beyond comparison.

But now the contests at the theatre were about to begin, and a vast multitude was surging thither. Almost without willing it the party of Theodorus was borne on with the crowd, until its members separated at the door, where Lystrate and the two girls were led by the ushers to the seats assigned to the women. Six poets had entered the lists, the subject being the combat between Apollo and

the serpent Python. Each poem was, in fact, a hymn to Apollo, sung by the author himself, to the accompaniment of his own cithara.

Leucippe listened intently, as one after another strode upon the stage, lifted his resonant voice, bowed, and departed. The applause was vehement, each poet being loudly cheered by his own following. Yet it was not easy to say which had won the popular heart. At length, when five of the six contestants had thus gone their way, the herald announced "Cleomenes!" Forth stepped a dark-haired Grecian youth of noble form and face, who wore his white chlamys, lined with purple, as if it had been a royal robe, so free, so unconscious, was his bearing. He was the youngest of the six. As his eye wandered over the vast audience before he struck the first chords upon his cithara, it was quiet and unmoved, until it fell upon Leucippe, and he recognized her, veiled though she was. Then, raising his hand involuntarily, while his cheek changed color, he gave a slight, half imperceptible salute, and bowing low to the amphictyons, began his hymn. Leucippe blushed like a rose, even beneath her light veil, as she drew back and hid her face for a moment behind the heavy folds of Lystrate's deploidion, and then, forgetting herself in the singer, leaned forward to listen, with flushed cheeks and eager eyes. The last low note of the cithara died away into silence, and the young minstrel stood motionless, white to the very lips. For a moment the house was motionless and silent also. Then the vast assemblage swayed to and fro, and from thousands of throats loud cries of applause swelled upward, echoing and reechoing in the vaulted roof. Cleomenes had won the palm, which was presented to the victors on the spot as an earnest of the forthcoming crown; and as he left the stage—was it by accident?—one green spray fluttered downward, and fell upon Leucippe's hand.

All night the youth of Delphi paraded the streets, singing verses in honor of the victors in these and other contests, while the populace made the air ring with tumultuous clamor. Even the echoes of Parnassus, awakened by cymbal and trumpet, seemed to join in the universal joy.

The next day our friends repaired to the temple once more, gave their questions in writing, and awaited their turn. That night Leucippe, sleepless from excitement and fatigue, wrote again to her mother:

"LEUCIPPE TO HER MOST BELOVED MOTHER, *Greeting*: Health and peace to thee while we are absent one from the other. There is much to tell thee about

all the wonderful things we have seen and heard. Cleomenes won the prize—as I was sure he would—and is to receive the olive crown in honor of his victory. My father was pleased, I know, though he mocked at me, and pretended to make light of it.

"Thou knowest how much I have desired to see the Pythia of Delphi. To-day I have seen her. We went to the temple at early dawn, but the crowd was already great. Indeed, many devotees had remained in the court all night; for the Pythia can be approached only on certain days, and mounts the tripod but once a month. However, we propounded our questions, and, by the favor of a young priest who is known to Antimachus, were able to gain a standpoint from which we soon saw the priestess as she passed through the temple, accompanied by some prophets, priests, and bards, who entered with her into the sanctuary. Dear mother, she was not, as I had thought, grandly beautiful, a sibyl, a prophetess, lifted above humanity by the strength of the divine afflatus. She seemed but a poor, weak woman. Melancholy and dejected, she moved with reluctance, like a victim dragged to the altar. She ate of the fragrant laurel leaves, and threw handfuls of them into the sacred fire as she passed. Upon her pale and wasted forehead a garland of laurel pressed heavily.

"All around the temple were the bleeding victims; for there were a great number of strangers who wished to consult the Oracle. The cries of the victims blended with the songs and the music. We were purified with consecrated water, and, for himself and for me, my father offered sacrifices. Then we waited in a little chapel till the priest came for us. We were led into the sanctuary—a deep cavern, thick with burning incense and other perfumes—in the middle of which is the aperture from which issue the prophetic exhalations. Over this opening in the ground is placed the tripod, so thickly covered with branches of laurel as to prevent the vapor from spreading throughout the cavern. If it had not been for this precaution, it may be that we should ourselves with one accord have begun to prophesy! But, O my mother! I did not think consulting the Pythia would be like this. Worn out with fatigue, for it was now near night, she refused to answer our questions. The priests reviled and threatened her, and even held her by force upon the tripod, from which she vainly strove to escape. I would have fled, so frightened was I, but my father said, as we were there, he chose to see the end of it all. They gave her to drink of some noisome water which flows through the cavern. Soon her bosom began to heave and she was seized with strange convulsions, all the time uttering low cries and inarticulate moanings. Suddenly, with wild eyes and foaming mouth, she tore the fillet from her head, while she pronounced some incoherent, rambling words to which the priests eagerly listened. Having mentally arranged them in some kind of order, they gave them to us in writing. The Oracle had spoken!

"The answers were obscure, for the most part, or were such as could be understood according to one's own wishes. For instance, my father asked, 'What is the best form of worship?' and the answer was this: 'Conform to the received religion of your country, whatever it may be.' After reading it he tore it up, saying to Antimachus, in a low voice, 'I need not have come hither to learn that. It is what any priest in Delos would have told me.'

"But the poor Pythia! I cannot rest to-night, for thinking of her woes. Would the priests be so cruel to her if they themselves believed her voice to be the voice of the god? Dost thou think so, my mother? Thou, too, wouldst have asked the question, even thou, if thou hadst been here. I have seen too much. But

now I am tired and would fain sleep. Menos will bear this to thee on the morrow. I seal it with the scented wax thou gavest me. The favor of the gods be with thee ! Farewell !

THY LEUCIPPE."

Yet, in spite of this assertion that she had already seen too much, the young Greek maiden was quite ready to extend her travels and to go with her father, when, shortly afterward, he announced his intention of journeying across the Sea of Crissa to Ægium, and thence overland through Achaia to Olympia, where the Olympic Games were to open on the eleventh of the month Hecatombæon.

The inns of Greece were poor and ill-kept, being seldom patronized by the upper classes. Therefore Theodorus was most fortunate in having friends wherever he went. At Olympia he was the guest of one who dwelt just outside the Altis—a sacred wood of vast extent, surrounded by high walls, and crowded with temples, altars, statues, and public buildings. Of all these the great Temple of Zeus was incomparably the most magnificent. Yet it was not its sculptured brazen gates, its myriads of marble columns, its elaborately carved pediments, its many shrines, its lengthening aisles and porticos, that attracted Leucippe's eye and held her spellbound. Passing by all these splendors, her attention was at once captured by the statue and throne of Zeus, masterpieces of Phidias and of the art of sculpture as well. The statue was a colossal figure of gold and ivory, which, though seated, rose almost to the ceiling. In its right hand it held an image of Victory, also of ivory and gold ; in its left, a sceptre of rare workmanship, surmounted by a golden eagle. The throne, resplendent with gleaming metal and precious stones, was adorned in every part by the skill of the painter and the sculptor. But it was the face that moved Leucippe to tears, and held Theodorus in mute ecstasy. "In it," says Anacharsis the Younger, "the divine nature is imagined with all the majesty of power, all the profundity of wisdom, and all the mildness of clemency. Heretofore, artists had represented the sovereign of the gods with ordinary features only, devoid of elevation, and marked by no distinctive character. Phidias was the first who represented the divine majesty."

"Phidias must have ascended into heaven and beheld Zeus face to face," said Leucippe, in the low tones of reverent wonder. "Where else could he have found the lofty conception embodied here ? "

"Poets would say so," said Theodorus ; "but Phidias himself, when asked a question similar to yours, quoted the lines of Homer, where-

in he says that at one look of Zeus mighty Olympus trembles. It was blind old Homer who inspired Phidias."

Long they remained gazing upon that face, so divinely gentle, yet so awful in its sublimity. Then they silently withdrew, and as silently walked homeward through the shadows of the sacred Altis, where no sound was heard but the faint breath of the wind in the tree-tops. Just beyond the walls they passed what had been the workshop of Phidias, and paused reverently, while Theodorus bowed his head and made obeisance to the shade of the immortal master, the grandest of the Greek sculptors, whose great soul passed from earth to heaven through gloomy dungeon bars.

"I go to the Stadium this afternoon," said Theodorus, later on. "What will you do with yourself, my Leucippe, for you know no woman may behold the Olympic Games?"

"Yet, in good truth, the women have their own games; do you not know that, my father? I will take Manette and Cora, and go to the Temple of Hera."

So, while Theodorus went by the road of the Barrier to the great hippodrome, and to the Stadium, with its two splendid altars, where the athletes of Greece were to run for glory, if not for life, Leucippe, with her maids, retraced her steps to the Altis. Here, near the temple of the great goddess Hera, sixteen women, noble matrons of high lineage and exalted worth, presided over the races of the girls of Elis.

Leucippe wandered about the temple, while waiting for the games to begin, but the only thing which deeply interested her was the cedar coffer in which the baby prince, Cypselus, afterward ruler of Corinth, was hidden by his mother when foes of his father were seeking his life. Long before the trumpet sounded, however, they had taken their places in the amphitheatre, which enclosed them from curious eyes; for if the women might not see the games of the men, neither might the men see the games of the women. It was a fair instance of tit for tat. Yet the races of that day were well worth seeing, and were far from immodest: one by one, as a female herald pronounced their names, the beautiful young competitors, clad in short white chitons, loosely girded, with bare arms, and their long hair floating unconfined, darted into the course and flew toward the goal like so many birds, their light feet scarcely touching the ground. The victor not only received an olive crown, but won the right to place her portrait in the Temple of Hera.

Talking eagerly with her nurse, Manette, while Cora followed in their steps, with her veil thrown back, and her fresh young face lifted to meet the kisses of the soft sweet air—for was not every man in Elis at the Stadium?—Leucippe strolled slowly through the Altis on her way to the nearest of the massive gates. As she approached it, she caught the glimpse of a lithe, manly figure, half hidden in the shadows, and her heart gave a leap.

“Thy veil, thy veil, Leucippe!” cried Manette, hastily rearranging its folds, for she was no false duenna, to wink at improprieties. But the fair, flower-like face had been recognized, and the youth advanced quickly.

“Nay, nay, Manette, it is only I,” he cried. “Do you not know Cleomenes? I have been waiting at the gate an hour for thee, Leucippe,” he whispered, bowing over her hand.

“But why art thou not at the Stadium, Cleomenes? When didst thou come? Why art thou here?”

“I can answer thy three questions in a breath,” he said softly, as Manette dropped behind. “I came three hours ago. Did I not know thou wouldest not be at the Stadium, and was I not sure I should find thee here? Months ago thy father gave me leave to tell thee that I love thee, Leucippe. I called thee sister when a boy, but now that I am a man I woo thee for my wife.”

As the youth said this, the voice that had rung out so clearly in the theatre at Delphi faltered as it sought the favor of the maiden; but the sequel proves that Leucippe’s answer was favorable to his suit.

The true Olympic Games, beginning with magnificent ceremonies, and sacrifices to the gods, lasted five days. The last day of the festival was set apart for the crowning of the victors, and it is not easy for later ages fully to comprehend, or to sympathize with, the enthusiasm which prevailed. The ceremony was performed in the Altis, preceded by pompous sacrifices; then, clothed in richest apparel, and bearing palm branches in their hands, the victorious athletes marched to the theatre, to the sound of flutes and trumpets, attended by an immense concourse, some on foot, some mounted on stately horses, and some in magnificently decked chariots. The great choruses chanted the Hymn of Archilocus, after which the heralds announced the name of him who had gained the first prize of the Stadium; and as the chief president placed upon the victor’s head a crown of wild olive, gathered from a tree grow-

ing near the Temple of Zeus, the plaudits of the vast assemblage reached the skies, while to all Greece it seemed that the fortunate one had reached the acme of human glory.

All this, and much besides, Leucippe saw, even if debarred from the sight of the games themselves. Theodorus had planned a long and lingering journey homeward, but Leucippe, now that her heart was consciously awakened, and the crisis of her womanhood had come, longed for her mother. Joyfully, therefore, she acceded to the proposal that they should strike directly across Arcadia to Thyrea, a small port on the Gulf of Argos. Here the *Cygnus* awaited them, and bore them on her swift white wings home to Delos.

Several months later occurred the quadrennial festival at Delos in honor of Apollo and Diana, and there could be no more auspicious time for a wedding than immediately after the close of sacrifices and offerings which could not fail to win the favor of the gods and put them in good humor. At least, so thought the lady Aurelia, in whose hands the matter rested; for it was usually the mother of the bride elect who fixed the day for the nuptial ceremony. Numerous were the preparations and ceremonies in the house of Theodorus. Marcia, daughter of Antimachus, and friend to both Leucippe and Cleomenes, who had been invited to the marriage, tells the story in her letter to her cousin Ismene, at Athens:

"Health and greeting! I am fain to write to thee, Ismene, for my head is full and my heart also. Would thou hadst been here! Never did I see maiden so beautiful as Leucippe was yesterday, when she became the wife of Cleomenes. The festivals were superb; methought them as fine as ours at Athens, which, in truth, I did not expect. But doubtless the gods themselves assist the Delians, seeing that they labor under such disadvantages; while they do not hesitate to leave us to our own devices.

"Early in the morning of the great day of the festival I ascended with Theodorus and Leucippe to the top of Mount Cynthus—which is truly of but moderate height. From it we beheld the whole group of islands of which this little Delos is the centre: they lie in the clear ocean, even as the stars in the high heavens, some near, some afar off, yet all seemingly linked together by the channels of bright water which flow between; separated, yet united. Their inhabitants are friends and neighbors. When the great solemnities at Delos begin, all lesser altars are deserted and the fires go out: even as we looked, heralded by joyful music, vessel after vessel issued from the various harbors and flew over the shining water toward us, bearing incense, rich offerings, and perfumes. Their masts were wreathed with flowers, and gay streamers fluttered at their prows, while the fresh wind swelled the purple sails, and the glancing oars gleamed in the rays of the rising sun. Even the oarsmen wore garlands of roses. Canst thou imagine aught more beautiful? Meanwhile a great throng had assembled on the plain beneath us. Then

suddenly clouds of smoke arose and enveloped them ; and we heard a thousand voices exclaim, ' The incense burns on the altar ; let us hasten to the temple.'

" But I will not delay, now, to tell thee of the processions, the dances in honor of Latona (in which Leucippe and Cleomenes joined, as was fitting), and all else that filled the four days of the festivals. When all was over, and silence and tranquillity again reigned in Delos, came the marriage day. Methinks every one on the island arose before dawn. I peeped from my lattice ere the sun was up, and lo ! the whole court, and even the street itself, was filled with men, women, and children, bearing flowers, and offering prayers and oblations, while they waited to see the bride come forth. Of course, I had been up nearly all the night, helping to prepare the perfumed water for the bath, to dress Leucippe's hair with fragrant essences, and to make ready the wreath of poppies, which would droop in spite of all my care. You should have seen the purple marriage robe, wrought with rich embroidery of gold by her mother's own hands—the lady Aurelia being wondrously skilled in all needlework. I helped array her in it, and was allowed to clasp about her neck the necklace of precious stones, the gift of Cleomenes. Leucippe's gift to him was the wedding garment, in which he looked like a god. She wrought it herself, and truly she must have been most industrious since her return from Olympia ; I wonder at her patience, even though Eros helped her.

" After Leucippe was ready, I ran to my chamber to array myself in the beautiful white robe with ornaments of silver that she had given me for the occasion ; and which, as you will see it in due season, I need not here describe. Then I, too, hastened to the court, that I might the better behold the spectacle. Forth they came at last, Leucippe led by Cleomenes, and followed by her parents and an officer who had just drawn up the marriage contract. Mounting a chariot, they proceeded to the temple. The people thronged about them, strewing flowers in their way, and crying out to Apollo and Diana to send favorable omens, and avert such as portended evil. I was in advance of them, in a carriage with Dion and Paulina, when suddenly I was terrified by the sight of a black crow perched on a tree by the roadside ! Happily, however, the crowd, surging round us, kept the chariot back, till the dreadful creature had been driven off with hoots and cries : it would have been woful indeed if Leucippe had seen it, or heard its ill-omened voice, and I think her mother would have gone mad. At the gate of the temple the priests met them, presented the branches of ivy, and led them to the altar. I need not tell you of the sacred rites, which are the same here as with us, or of the nuptial ceremony.

" It was night when we returned to the house of Theodorus, Cleomenes having no house of his own in Delos. As the bride and groom swept over the threshold, a basket of fruit was placed on their heads for a moment, as an omen of plenty. Then came the banquet, with songs to Hymen ; and several poets sang epithalamiums of their own composing, which, I am fain to say, became somewhat wearisome. My eyes grew heavy with sleep after the fatigues of the day, and I was glad when, after the dancing women had departed, the lady Aurelia lighted the nuptial torch and led Leucippe to the chamber prepared for her.

" The bridegroom will carry his bride to Athens after the new moon, and I go with them. Therefore we shall soon meet. Farewell, my Ismene, and may the gods grant thee a husband as handsome as Cleomenes, and as much in love with thee as he is with Leucippe !

" THY COUSIN, MARCIA."

JULIA C. R. DORR.

CRITICISMS, NOTES, AND REVIEWS.

NEW FIELDS OF PSYCHICAL RESEARCH.

ONE of the marked features of the times is the energy with which scientific investigators are pushing their researches into new and untrodden fields. Nowhere is this activity greater than in psychology, a science which seems to be extending its boundaries in several different directions. Kant put forth the dictum that the methods of exact experiment and mathematical calculation could not be applied to mental phenomena. But he had been in his grave scarcely a generation when, under the stimulus of Herbart, a school of psychologists arose, whose specialty was the application of the very methods rejected by Kant to the phenomena of mind. That branch of psychology to which the name of psycho-physics has been applied marks a definite extension of the limits of psychology, bringing, as it does, into the purview of the science such problems as the time measurements of various mental operations, and the determination of the exact ratios that exist between variations of the external stimuli and the corresponding changes of intensity in the sensations of the different senses.

Psycho-physics is not the only new territory, however, which the psychologist has invaded. He is now seeking to make conquests in an opposite direction. At the time when Carpenter's *Mental Physiology* first appeared, it may be said that the subjects of hypnotism, dreams, hallucinations, and kindred phenomena constituted a *terra incognita*, regarding which only the vaguest ideas were entertained. It scarcely occurred to the psychologist that these were subjects about which he need trouble himself. But within a few years the phenomena of hypnotism, especially, have come into prominence; and the investigation has received a powerful stimulus, as well as important contributions, from the group of French hypnotizers at Nancy, whose experiments are reviewed in connection with the general problems of hypnotism by Mr. Edmund Gurney, in the April number of *Mind*.* In this article, and in a second one in the July number of the same journal, Mr. Gurney brings the present stage of the inquiry concerning hypnotic phenomena under review, and outlines a number of very important problems which the results of recent researches have brought forward for solution. That the psychologist must be prepared to grapple with these problems, as well as with the kindred subjects of dreams and hallucinations, is evident. The field seems to be rich in the possibilities of valuable results for mental science.

* *Mind*, April, 1887. "Further Problems of Hypnotism."

And not only has great industry been aroused in the investigation of this general field, but in a certain portion of it a special line of research has been marked out, which has awakened a high degree of interest both among specialists and in the minds of the general public. Had any one ventured, a few years ago, to predict that psychology would invade the peculiar domain of so-called spiritualism, and succeed in conquering a portion of it for herself, he would have been suspected of laboring under a mild form of lunacy. But the organization in London, several years since, of a Society for Psychical Research, numbering in its membership some of the leading scientific minds in Great Britain, with correspondents in other countries, marked the beginning of a new era. The society's programme contemplated the investigation of the entire sphere of extraordinary psychical phenomena; but very soon a definite line of inquiry began to absorb the greater portion of the attention and industry of its members. This definite line embraced all that mass of actual or alleged instances in which the mind of one person has been impressed by that of another through supersensory channels, or at least in a way which could not be accounted for by the ordinary modes of communication through the senses. The results of several years of persistent research have been summed up in two huge volumes, prepared mainly by Mr. Edmund Gurney, the corresponding secretary of the society.* Mr. Gurney's books give us a very favorable impression of the spirit and methods of the society. Its labors seem to give a decisive answer to the question whether such phenomena are open to scientific treatment. The popular opinion, heretofore, has been that they are not, and that the sphere in which they lie is one which only fanaticism or superstition would venture to invade. The first question, of course, and the most important, is whether a sufficient number of well-authenticated cases of the phenomena considered can be obtained, to justify the conclusion that minds have some super-ordinary mode of communicating with one another, which is inexplicable by known laws. Persons who have had any experience in investigating alleged marvels have found, as a rule, that the facts shrink so under investigation as to leave little to be explained: the phenomena of the so-called mind-reading, for instance, turn out to be, for the most part, muscle-reading, and the skilful interpretation of ordinary signs. The action of the committee appointed by the University of Pennsylvania to investigate the alleged facts of spiritualism is a case in point. Their report is entirely adverse to the claims of the spiritualists, asserting that a general unwillingness to submit to fair scientific tests was met with, and that, invariably, where such tests could be applied, the spirits failed to materialize, and nothing turned up to disturb the ordinary equanimity of nature.

Mr. Gurney and the society which he represents recognize the necessity for extreme caution in dealing with materials so exposed to fraud and delu-

* *Phantasms of the Living.* By Edmund Gurney, M.A., Frederic W. H. Myers, M.A., and Frank Podmore, M.A. Vols. I. and II., pp. lxxxiv and 573; xxvi and 733. London, 1886: Trübner & Co.

sion ; and an entire chapter of the first volume is devoted to a careful discussion of the possible sources of error, and to the evidential value of different kinds of testimony.* But after excluding all the instances which are vitiated by possible fraud or incompetence on the part of the witnesses, Mr. Gurney has remaining a collection of over seven hundred cases which, in his opinion, possess evidential value. They are sufficient, he concludes, to prove "the ability of one mind to impress or to be impressed by another mind otherwise than through the recognized channels of sense."† To represent this supersensory mode of communicating impressions the term *telepathy* has been coined.

Assuming that a sufficient number of genuine cases has been collected to prove the existence of some mysterious mode of communication between different persons, the question as to the explanation of this phenomenon, or whether, in fact, any explanation is possible, is one on which opinions may differ. And even among those who believe in the possibility of explanation different theories are held. The telepathic explanation proposes a *natural* solution, as opposed to the quasi-supernaturalism of spiritualism ; and a *psychical* solution, as opposed to those who would give a purely physical account of the phenomenon.

In considering the merits of the telepathic hypothesis material assistance will be derived from following Mr. Gurney's excellent classification of his facts. The cases are distributed under the two main divisions, *experimental* and *spontaneous*, with a number of instances which the author classes as *transitional*. The experimental cases naturally yield the most definite results, the conditions being determined beforehand by the operators. They are mostly hypnotic in their character, and may be classified in two different ways : (1) according as both agent and percipient ‡ are cognizant of the experiment ; or the agent alone, while the percipient is unconscious that any one is seeking to influence him ; or (2) according as the hypnotic *rappo*rt operates between persons in proximity or at a distance. A number of examples are given under each of the four heads ; sufficient, as Mr. Gurney thinks, to establish the fact of telepathic communication, which he translates *thought-transference*, in the experimental sphere. The competing hypotheses in the experimental sphere are the spiritualistic and the physical. The former is rejected on two grounds : first, because the general character of the phenomena does not necessitate the introduction of quasi-supernatural agencies ; and, secondly, because a natural explanation, other things being equal, must always be given the preference in science. The objection to the physical hypothesis is rested on the ground of its insufficiency. In cases of proximity the *rappo*rt might be explained as a species of "nervous induction," but the *rappo*rt at a distance, and especially in cases where the percipient is unconscious of any attempt to influence him, cannot be satisfactorily ex-

* Vol. I., c. iv., pp. 114-172.

† Vol. I., p. 6.

‡ The agent is the one who conveys the impression, the percipient the one who receives it.

plained by any purely physical hypothesis. Mr. Gurney concludes that the psychical hypothesis of thought-transference, or telepathy, is the only one that will adequately account for all the facts. The only thing remaining to be accounted for, on this hypothesis, is the origin of the hypnotic *rappo*rt itself, as existing between persons at a distance; and Mr. Gurney is of the opinion that it is not necessary (even if it were possible) that any physical effluence should pass from the agent to the percipient, but that the only condition of the telepathic communication which it is necessary to presuppose, as existing between them, is "the permanent impression of their past relations to one another." *

Under the head of spontaneous telepathy, in which the communication is not deliberately sought, and "where the agent and percipient, as a rule, are far apart," a vast collection of examples is given, both in the body of these volumes and in the supplement. In these cases the agent is usually either in great distress or in the crisis of death, and the percipient has either an inner impression of some sort which does not materialize in any external form, or he is the subject of a hallucination in which the presence of the agent is manifested to one or more of the senses. The spontaneous cases, like the experimental, admit of a twofold classification: (1) according as they are subjective, or objective (taking the form of hallucinations); or (2) according as there is but one percipient, or a group of percipients, each of whom has substantially the same impression, or perceives the same object. Besides the spiritualistic and physical explanations, another competing hypothesis, that of chance-coincidence, enters the field at this point. The physical explanation, if the genuineness of the facts be admitted, is here obviously insufficient. It requires a great stretch of imagination to suppose that any species of nervous induction or molecular transmission can account for the waking vision which a man in India has of a friend who is dying in London at the moment. The spiritualistic hypothesis is excluded on grounds already indicated. Mr. Gurney gives special attention to hallucinations, the stock in trade of the spiritualists, and argues, we think conclusively, that even in instances where the telepathic impression is presupposed, the hallucination itself, or the bodying forth of the impression in sensory form, is subjective, having its source in the mind of the percipient, and developing in accordance with the suggestions of his past experience; and, in case there are several percipients, being transmitted telepathically from one to another. On this latter point, however, there is some difference of opinion. Mr. Myers, the author of the Introduction, and of an extended note in the second volume,† prefers the hypothesis that, where there is a group of percipients, each derives his impression directly from the agent, who, at the moment of death (as is mostly the case), has a clairvoyant vision of the group. Whatever may be thought of these suggested explanations, they are at least natural, and avoid the quasi-super-

* *Mind*, July, 1887, p. 403.

† Vol. II. On a suggested mode of psychical interaction, pp. 278-316.

naturalism of the spiritualistic hypothesis. There remains, then, only the hypothesis of chance-coincidence, which is the favorite in this field. If A, in Calcutta, has a waking vision of his friend B, who is dying in London at that moment, why cannot the phenomenon be explained as a chance-coincidence? Mr. Gurney replies, that a single instance, or a few instances, could be so explained; but in a chapter in his second volume, devoted to a review of the theory of chance-coincidence,* he contends that if the examples cited be admitted to be genuine, they are far too numerous to be accounted for in such a manner. The probability of accidental concurrence is tested mathematically, and, assuming the soundness of the data, the conclusion seems to be overwhelmingly against it.

Mr. Gurney's conviction, which is shared by his co-laborers, is that the evidence, after making all necessary deductions, is sufficient to prove the existence of a mode of psychical communication between minds, to which the name telepathy has been given. He does not believe that the phenomena, when scientifically investigated, yield any strong support to spiritualism. On the contrary, he believes that a natural explanation is possible, and that, of the various scientific suggestions advanced, telepathy, or the psychical explanation, is the one that is most strongly borne out by all the facts.

It is, perhaps, too early to form a decided opinion as to the value of the conclusions which have been reached. The investigators seem to have used every reasonable safeguard against error in collecting their data. Telepathy involves no intrinsic impossibilities, and is obliged to encounter fewer difficulties than any of the competing hypotheses. It has also the great merit of being an attempt to bring a whole class of phenomena under the dominion of psychical laws. Its great defect is its indefiniteness. It is, as yet, but a name for something that is not understood. Whether it admits of explanation, and whether its laws can be definitely determined, the future alone can decide. In the meantime the friends of scientific progress cannot but rejoice that a new sphere for inquiry has been thrown open; while the steps already taken stimulate the hope that the continued application of scientific methods will lead to more important results in the future.

AN OLD FRIEND IN A NEW DRESS.†

To see *Boswell's Johnson* in a new edition is no more remarkable nowadays than it once was to see *Doctor Goldsmith* in a fresh and vivid waist-coat. But that which does not excite our surprise may yet stimulate our

* Vol. II., c. xiii., pp. 1-28.

† *Boswell's Life of Johnson*. Including Boswell's Journal of a Tour to the Hebrides, and Johnson's Diary of a Journey into North Wales. Edited by George Birkbeck Hill, D.C.L., Pembroke College, Oxford. 6 vols., 8vo. London: Henry Frowde. New York: Macmillan & Co.

observation, and it is a matter of record that at least on one occasion *Goldsmith's* sartorial out-blossoming caused so much comment among his friends and called forth so many philosophical reflections from the learned that it has become historical. These six volumes from the *Clarendon Press* are no less opulent and luxurious in their way than the famous "bloom-coloured coat," and, if we may imagine that celestial minds take note of things terrestrial, it is quite certain that the great lexicographer and his faithful historian find a larger and more reasonable satisfaction in the typographical honor which has been done them by the *University of Oxford*, than poor Noll found in the brief splendor conferred upon him by his tailor.

It is manifestly inappropriate to write about the Leviathan of Letters in a light or frivolous vein. Even that most vivacious and respectfully irreverent of critics, *Mr. Augustine Birrell*, falls into the use of "the editorial we" when he comes to *Doctor Johnson*. But since it is now sure that the awful Doctor who once scornfully refused to visit "this rebellious land" will never have a chance to reconsider his decision, and since it does not require the insight of genius nor the painful labors of industry to perceive that Doctor Hill has performed his task, as editor of this edition, with rare devotion and skill, let us play the *Rambler* or the *Idler* for a while, in our thoughts about this old friend who comes to us so finely dressed.

There are some books with which we can never become intimate. However long we may know them they keep us on the cold threshold of distant acquaintance. Others drag us in only to bore us, and make us execrate the day of our introduction. But if there ever was a book which invited to friendship and delight, it is this of *Boswell's*. The man who does not know it, is ignorant of the best cheer that can enliven a solitary fireside. The man who does not love it, is insensible alike to the attractions of sturdy virtue and the amusement which is afforded by the sight of a great genius and an engaging ass keeping company.

But, after all, we have always had our doubts about the supposed "asininity" of *Boswell*. As *Doctor Johnson* said, "A man who talks nonsense so well, must know that he is talking nonsense." It is only fair to take his own explanation of it, and allow that when he said or did absurd things it was to draw out his Tremendous Companion; and when he made record of them it was because he had sense enough to know that the only way to be perfectly entertaining is to be perfectly frank.

Boswell threw a stone at one bird and brought down two. His triumphant effort to write the life of his friend just as it was, with all its eccentricities, appurtenances, and surroundings, has won for him the highest honor that can befall an author. His proper name has become a common noun. It is hardly necessary to use a capital letter when we speak of a *boswell*. And his pious boast that he had "*Johnsonized* the land," is far less true than it would be to say, (and if he were alive he would certainly say it,) that he has *boswellized* biography. I wonder what *Mr. Froude* or *Professor Masson* would give for such fame.

The success of this book appears the more wonderful when we remember that out of the seventy-five years of *Johnson's* life less than two years and two months were passed in the same neighborhood with *Boswell*. Yet one would almost think that they had been rocked in the same cradle, or, if this seem irreverent, that the *Laird of Auchinleck* had slept in a little trundle bed beside the couch of his mighty friend. We do not mean by this that the record is trivial and cubicular, but simply that *Boswell* has put into his book as much of *Johnson* as his book will hold. Let no one imagine, however, that a similar success can be attained by following the same recipe with any subject. The exact portraiture of an insignificant person confers information where there is no curiosity, and becomes tedious in proportion as it is precise. The first thing to be done is to catch a giant for your hero, and in this little world it is seldom that one like *Johnson* comes to the net.

What a man he was,—this “old struggler,”—how uncouth, and noble, and genuine and profound,—“a labouring working mind, an indolent reposing body!” What a fund of cheerfulness in the bosom of his melancholy, what a kind heart beneath his rough manner! He was rude, but not cruel; proud, but not vain; his prejudices were parochial, but his intellect was universal. There was enough of contradiction in his character to make it interesting, and enough of simple faith to make it consistent. It was not easy for him to be good, but it was impossible for him to be false, and he fought along the line of his life with manly courage straight to the end.

We suppose that *Americans* ought to harbor a grudge against him on the score of his opinion of our forefathers. You remember he said of them, during their little controversy with *King George*, that they were “a race of convicts.” But we can afford to laugh at that now; and, upon my honesty, there is less offence in it than there is in *Mr. Matthew Arnold's* suave advice or my Lord *Fitz-Noodle's* condescending praise. If a man smites me fairly on one cheek, I can manage to turn the other out of his reach; but if he deals with me as “a poor relation,” I cannot help looking for a convenient, and not too dangerous, pair of stairs for his speedy descent.

We may safely claim *Doctor Johnson* as a Tory-Democrat, on the strength of his great saying that “the interest of millions must ever prevail over that of thousands.” And when we put beside this his defence of card-playing, on the ground that it “generates kindness and consolidates society,” we may differ from him in our estimate of the game, but we cannot deny that, in small things as well as in great, he spoke as a friend of humanity.

His literary taste was not always good; in some instances it was atrocious. But his admiration was a matter of principle: his own style was the result of genius. It will never do for us to underrate it in this age of “slipper-shod” and “dressing-gowned” English. He was a master, not only of thoughts, but also of words. They marshalled themselves at his command and moved forward in serried files. He had the art of saying what he meant, and saying it in the only way. He could smite like a battering-ram, or touch with a needle. He understood the shading of synonyms

and the value of antithesis. The language does not contain a more pointed and powerful phrase than that which he threw off at an uncertain *Mr. M'Aulay*, when he called him "a bigot to laxness."

It is common to suppose that he did a great deal to oppress and overload our English tongue by introducing new and clumsy words. His opportunities undoubtedly were large, but he declared that he had not added above four or five. When we observe that one of these was *peregrinity* we find cause for gratitude that he refrained so much; but when we remember that another of them was *clubbable* we are thankful that he did not refrain altogether. For there is no quality more easy to recognize and more difficult to define than that which makes a man acceptable to the company of his fellows; and of this *Doctor Johnson* has given us a fine example in his life and an appropriate title in his word.

It has become clear to us that one source of *Doctor Johnson's* greatness lay in the fact that he was, in the highest sense, a man of sentiment. His affection was equivalent to his intellect, and he felt as deeply as he thought. This is not the general opinion, but it is true. And it is only another proof that no man can come to much, who is not often unreasoning in his loyalty, and whose emotions are not powerful enough to lead him sometimes into absurdity.

His life was an amazing victory over poverty, disease, and sin. He conquered almost all that he enjoyed. But greatness alone could not have insured, nor could perseverance alone have commanded, three of his good fortunes: that *Sir Joshua Reynolds* painted his portrait; that *Mr. James Boswell* wrote his biography; and that his *WIFE* said of him that "he was the most sensible man she had ever met."

HODGE'S THEOLOGICAL LECTURES.*

DOCTOR FAIRBAIRN has recently sharpened his pen to speak of the vogue into which Mr. Matthew Arnold and Professor Huxley have come as writers in the field of theology, wherein the one "has exercised his rare and excellent gifts, unencumbered by the responsibilities and insight of a too curious or too sympathetic knowledge," and the other "disports himself in a state not very remote from a state of nature." "Why," he asks, "will men not only tolerate, but even applaud and follow, practices in the theological that they would not for a moment allow in the physical sciences?" No wonder that, in such circumstances, men are more interested in religious controversy, which may at least be racy, than they are in theological science. When the masters of other sciences, on that ground alone, assume to teach

* *Popular Lectures on Theological Themes.* By the Rev. Archibald Alexander Hodge, D.D., LL.D., Professor of Didactic and Polemic Theology in Princeton Theological Seminary. 8vo. pp. 472. Philadelphia, 1887 : Presbyterian Board of Publication.

this science, of which they are profoundly ignorant, there may, indeed, be confused noise and garments rolled in blood, but there is little likelihood of the advancement of knowledge ; and it is inevitable that the queen of the sciences should be forgotten while we blindly follow the priests of her subjects. Nevertheless there is a theological science, if men would but listen to those who have knowledge in it. And that old saint within whose capacious mind was garnered all that the subordinate sciences, mental and physical, could teach in his day, was eternally right when he preferred it to all others : "Of course," says Augustine, "it is far more excellent to know that the flesh will rise again and will live forevermore, than anything that scientific men have been able to discover in it by careful examination. . . . It is also far better to know that the soul which has been born again and renewed in Christ will be blessed forever, than to discover all that we are ignorant of touching its memory, understanding, and will." Of course, we echo ; but who will show us any truth ?

The significance of this volume of lectures by the late Dr. A. A. Hodge (which comes to us, unhappily, as a posthumous work) is, that it is an attempt by a thoroughly competent hand to explain to the people the great subjects with which theological science deals. The reader perceives at once that he is in the hands of a master, whose "masterliness is penetrated and guided by full and accurate knowledge"; to whom theology has not been the recreation of idle vacation hours, but the serious business of a very earnest life. Nor will he read far before he comes to understand that this writer speaks to us on these themes with the same kind of authority and the like skill with which Professor Huxley publishes a popular treatise on biology, or Mr. Geikie a geology for the people. In a word, Doctor Hodge's book is a scientific treatise, wrought by a master in his specialty, for the reading of the cultivated layman.

Probably no one was ever better fitted than Doctor Hodge, by nature, learning, and grace, to be the expounder of theology to the people. His powers of lucid explanation and brilliant illustration were marvellous. And the subjects which he treats were his own in a sense in which few men make any subject their own. In the quiet of his heart, he had, with loving incubation, brooded over all these problems until every shell had broken and the living truths had issued forth, to be greeted by his admiring wonder and adoring love. When once perceived, they became not only the furniture of his mind, but the precious treasures of his heart : he apprehended them with a clearness of intellectual perception that illuminated them in every part ; and he embraced them with a warmth of personal faith that was ready to stake his soul upon them. Dean Church somewhere says that the need of our day is for men who will take high views of truth. If there is one quality which, above others, characterizes Doctor Hodge in these lectures, it is his apparent inability not to take his survey of each subject from a height far above that from which it is usually regarded. The first effect of this is a great breadth of view, which insures that all the elements of each problem

will be perceived ; and will be perceived in their due relations and proportions. This is finely illustrated in the treatment of the genesis of the Scriptures ; and even better in the remarkable lecture on the nature of God and his relation to the universe, which, just because of its great comprehensiveness, presents a conception of the Divine Being which is very noble : "God is at once the unfathomable Abyss, the transcendent Father, King, and Judge, the immanent and vital Spirit." It is clearly the immanence of God, which he called the "religious" side of the conception, that Doctor Hodge most lovingly dwell upon ; and it would be interesting to trace out the deep influence which a clear hold upon this conception exercised upon his whole theology, enlarging and everywhere perfecting his apprehension of the vital essence of things—of Providence, of miracles—and even determining his attitude toward the modern fanaticism of the "faith cure." But nothing can surpass the vividness of his realization of the infinite unknowableness of the Divine Essence : "The sphere of a creature's knowledge, be it that of an infant or of a man, or of a philosopher or of a prophet, or of saint or archangel in heaven, will float as a point of light athwart the bosom of that God who is the infinite Abyss forever." Doctor Holmes tells us of ideas which, when once they are conceived, expand the mind, by their inherent nobility, to a greater capacity, and leave it permanently enlarged. Surely, all who sympathetically read Doctor Hodge's effort to explain God's relation to the universe may expect to obtain an abiding expansion of mind from it.

The fine charity and tolerance of spirit which color the whole book is but another fruit of the breadth of view which was habitual with its author. Orthodoxy, with him, was not "my" doxy but rather "our" doxy, and its primary criterion, inclusiveness : "Orthodoxy is always Catholic truth, embracing and integrating all the possibly separate and apparently incongruous parts and aspects of truth." And as his doctrine, so was his practice. Witness his view over the heads of the combatant camps of Calvinists and Arminians : "Here, as everywhere else, there is essential truth on both sides of every controversy, and the real truth is the whole truth, its entire Catholic body. . . . The difference between the best of either class is one of emphasis rather than of essential principle. Each is the complement of the other. Each is necessary to restrain, correct, and supply the one-sided strain of the other. They together give origin to the blended strain from which issues the perfect music which utters the perfect truth." This is not indifferentism, it is not weak tolerance of error : he does not stint blame where condemnation is due. He does not shrink from saying plainly : "Arminianism, in the abstract, as an historical scheme, is a heresy, holding half the truth." And the book is brightened everywhere with incisive references to and refutations of the false beliefs, whether of fanaticism or rationalism, of the day. Not indifferentism ; but inclusive, because high and broad, views, constitute the key-note of the book. It is the heart that makes the theologian : and Doctor Hodge's eminence, as any reader of this

book will see, was due to the fact that he put his heart as well as his mind into his theology.

These are "popular lectures on theological themes," so the title informs us. They certainly ought to be. And if such books can only reach the thinking of the people, what an earnest of sound views and true faith will they be !

McCOSH'S RECENT WORKS.*

THE philosophic series which Doctor McCosh now presents in two handsome volumes has been before the public several years, and has met with a very favorable reception. The author is recognized as the foremost living champion of a thorough-going realism; and in the present volumes he ranges over a wide field of topics, on all of which he has reflected deeply and has something fresh and weighty to say. The first volume is expository, opening with an introductory chapter on "What an American Philosophy Should Be," in which various theories and schools are passed in review, and the conclusion is reached that realism is best adapted to the genius of the American people. The body of the volume is devoted to the discussion of such weighty and vital themes as "Criteria of Divers Kinds of Truth"; "Energy"; "Efficient and Final Cause"; "Development: What it Can Do, and What it Cannot Do"; and "Certitude, Providence, and Prayer." Throughout, the doctor takes a realistic view, and aims to establish positive truth. The second volume is historical and critical. It opens with a chapter on "Realism: Its Place in the Various Philosophies," in which the doctor aims to show that while a thread of realism runs through most philosophies, yet the majority of the errors into which philosophers have fallen have arisen from their failure to plant themselves squarely on a realistic foundation. The body of the volume is devoted to such historical topics as "Locke's Theory of Knowledge, with a Notice of Berkeley"; "The Agnosticism of Hume and Huxley, with a Notice of the Scottish School"; "A Criticism of the Critical Philosophy"; and "Herbert Spencer's Philosophy as Culminated in his Ethics." The historical criticisms are clear and incisive; and the two volumes, taken together, form not only a very important contribution to philosophy in general, but also a weighty plea for that realistic view to the exposition and defence of which the distinguished author has devoted the best years of his life.

The first volume of Doctor McCosh's treatise on psychology has already been noticed in this REVIEW.† The present volume, *The Motive Powers*,

* *Realistic Philosophy*. By James McCosh, D.D., LL.D. Vols. I. and II., pp. 252 and 325. New York, 1887: Charles Scribner's Sons.

Psychology: The Motive Powers. By James McCosh, D.D., LL.D. Pp. 267. New York, 1887: Charles Scribner's Sons.

† *THE NEW PRINCETON REVIEW*, July, 1886, pp. 137-139.

completes the treatise ; and deals with the practical side of the mind under three heads, the emotions, the conscience, and the will. The larger part of the volume is devoted to the emotions, the discussion of which forms, perhaps, the most original feature of the book. The doctor's theory of the emotions has already become well known through his earlier work, *The Emotions*, which was published several years ago. He rejects the neurological theory of Bain and others as inadequate, and traces emotion to a fourfold root. The primary source of emotion is the *appetence or emotive principle*, which is original in our nature, and which must be aroused before the emotion can act. Another necessary element is what the doctor calls the *idea*. The emotive principle does not move blindly, but in response to the presence of some moving object or idea. Thus, in terms of the illustration given in the opening chapter, the emotive principle of family affection excites the feeling of sorrow only when appealed to by the announcement of a brother's death. Two other elements which enter into emotion are the *organic affection or nerve excitation*, and the *conscious feeling*. Every emotion, the author claims, has these four aspects. An elaborate and interesting discussion of the four elements is followed by a classification of the emotions. Various methods of classification have been adopted by different authors. Doctor McCosh founds his classification on the ideal element, and takes as his *fundamentum divisionis* the distinction between emotions aroused, respectively, by animate and inanimate objects. The first class is subdivided into retrospective, immediate, and prospective emotions. Under the second class the æsthetic emotions are grouped. The author's treatment of æsthetics, and especially of natural beauty, is one of the most interesting portions of his book. A glance at the remaining divisions of the volume must suffice. Doctor McCosh insists that the conscience is not a mere emotion, but contains both a cognitive and a motive element. It cognizes intuitively the distinction between right and wrong, and the moral quality of particular acts. The cognition is accompanied by a feeling of approval or reprobation, and the concrete voice of conscience includes both. Moral distinctions are given directly by conscience, and do not spring from utility, or from sensations of pleasure and pain. The will is the choosing power, and acts both spontaneously and deliberately. The author repudiates the current distinction between will and motive. An impulse or incitement becomes a motive to choice only when it has received the assent of the will. Into the dispute about freedom and necessity he declines to enter ; but as every volition is accompanied with the conviction of freedom, he considers the belief in the freedom of the will well founded.

The two volumes of the *Psychology* are designed to be used as textbooks in colleges and schools. They cover the entire field of psychological doctrine ; and combining, as they do, clearness of style, conciseness of statement, and masterly analysis of topics, their merits entitle them to wide notice and extensive use.

THE JUBILEE SUMMER IN ENGLAND.

THE feelings with which patriotic Englishmen looked forward to the approach of the Queen's Jubilee were, in some respects, plain and easy to understand, but were also in many important ways unusual and abnormal. The Jubilee summer opened upon an England wearied almost to the point of hopelessness because of the apparently endless continuance of hot political strife over questions whose proposed solutions seemed equally hopeless. The rancorous debates and recriminations provoked by the situation which Mr. Gladstone's latest proposals on the Irish question had occasioned produced an unhappy and uneasy impression on the people. There seemed to be no means at hand for putting out of sight the spectre of Ireland. The large measures of relief proposed by the late government had been condemned and the ugly alternative of coercion remained. Ireland was again to be forced into good behavior, with not as much prospect for success in the experiment as had attended previous efforts of the same kind. Between these two, conciliation and coercion, there seemed to be no stable middle ground. The withdrawal of many leaders and men of social standing from the Liberal fold was unpleasantly suggestive of new lines of political division and ominous for the stability of traditional social distinctions. There was no power in public view intelligent enough to control the unfortunate drift of things—unfortunate, whether seen through the eyes of a Tory, a Liberal Unionist, a Gladstonian, or an Irish Home Ruler. The government in power was believed to be courageous, but it was not believed to be able to grasp the new and complex difficulties with real remedial measures. What they would not do was tolerably well understood. They would not yield to any proposal which seemed to them dangerous to the integrity of the British Empire. But what they would do was what few ventured to believe could be certainly known. The Crimes Act, to force a peace in Ireland, and the Land Act, to smooth things somewhat afterwards, indicated the extent of positively announced policy. In the midst of all the wrangle and confusion of tongues came the Jubilee as a welcome interruption. For perhaps a week Ireland sunk out of English sight. London swarmed with six or seven millions of people—an assemblage of human beings greater than is recorded to have gathered together at any one place in the history of the world—and witnessed the august spectacle of the royal procession to Westminster Abbey. This, the greatest of the Jubilee ceremonies, was in every way impressive. It had nothing of the "show" or exhibition about it. It was a stately and worthy demonstration of the greatness and dignity of the British Empire in the nineteenth century. But as soon as the climax of the celebration was past, the bitterness of politics broke out as furiously as ever, and the most one can truthfully say of the Jubilee is that it was the greatest incident of the summer. It did not give the tone of feeling which ruled the minds of Englishmen. They looked forward to it with hope, with anxiety, with longing. They were immeasurably proud of its

grandeur, and then discouraged to find it had done so little to better things in general. The newspapers kept serving to the public from day to day exciting and elaborate reports and discussions. If an Englishman had been disposed, even at that late hour, to make a determined attempt to view the situation calmly, it is doubtful whether he could have long withstood such a constant diet of feverish reading as was made up each day for the press. Everything bore the impress of a controversy which had lasted so long as to disorganize. Central principles were, indeed, discussed, but personal abuse and attack were more freely employed. Both were often to be heard from the same speaker or found written by the same writer. Noted men, of whom better things were to have been expected, indulged freely in this vituperation. Professor Tyndall's exploits in this line, and the conduct of the London *Times* in regard to "Parnellism and Crime" are but two out of scores and hundreds of instances. To an outsider it seemed not unlike the mob described in Virgil, where the stones and firebrands and arrows are flying, but, unlike the ancient mob, no one appeared whose aspect quelled it.

The progress of time brought no hopefulness. For awhile attention veered to the Anglo-Egyptian question, in the hope that trouble at home might be balanced by advantage abroad. But it was not to be so. English national pride was humiliated by seeing the Queen's signature left dangling before the Sultan in the hope of securing his agreement to the Anglo-Turkish convention. Then began the series of bye-elections. One after another they have come. At the first the government papers were astonished, and then began to make light of them. But this has now changed into a feeling of genuine alarm which might easily run into a panic. The percentage of change in the voting is sufficient, if kept up, to reverse the majority in the House of Commons and call back Mr. Gladstone. And now a new element of danger is added in the proclamation of the Irish National League. This the Old Tories feel to be a consistent and laudable measure, and from the Liberal Unionists, who begin to call it "impolitic" and a "tactical mistake," opinion shifts away to the open denunciation with which the measure is received by the Opposition. It looks very much like a desperate measure, even should it prove to be a strong one.

From the tone of this article one might easily imagine that the Jubilee summer in England was taken up with thinking and contending about Ireland, and very little else. Such is the fact. The one thing which has filled the public view throughout—save only for a few days—has been Ireland, and promises to be Ireland for some time to come. Meanwhile the dulness of trade and a rainless summer have come in to aggravate the general despondency. The country was parched and baked and the lawns burnt brown. The harvests, too, came sooner than the farmers were used to make ready for them. Things seemed either not to come right or if the right thing came it did not come at the right time. In the cities the shops were full of wares but not so full of buyers. Only once, and that was when the strangers at the Jubilee spent some ten millions of pounds, as the tradesmen

estimate, did the prospect brighten a little. Some of the outer symptoms and motions of a business revival appeared, lingered a little, and then disappeared.

It was a saying of Beaconsfield that there was nothing the public liked so much as shows and processions. How much of his policy was built on this would be interesting to know, but the conduct of the people of England during this discouraging summer affords some interesting proofs of the truth of his saying. The places of amusement were more extensively attended than was to have been expected. People turned from their general discomfort to get some relief in the endless variety of displays and ceremonies of all grades which were to be seen. The "season" was prolonged beyond its ordinary limit, and the number of displays which attracted great crowds was also extraordinary. The summer's pleasures may not have been so heartily enjoyed as they would have been had the Queen's Jubilee coincided with business prosperity and tranquillity in home politics, together with the maintenance of British *prestige* abroad. But for all that it was better than sitting about in debate over the solution of the spectral Irish problem, and talking heatedly and thinking to no purpose of theories of land and rent, tenants rights and landlordism, and the vexed intricacies of Home Rule in its relation to the integrity of the British Empire. One thing at least is very clear. Many would now vote to return Gladstone to power merely for the sake of seeing a change from the depressing monotony of the ever-present Irish question. They may not like his solution of the matter, but they like the present outlook still less.

Several causes are now beginning to operate in favor of relieving the stress of affairs. The formidable defection of most of the university Liberals, which looked like an unanswerable protest on the part of enlightened minds against fallacious statesmanship, is gradually being interpreted as the manifestation of that streak of conservatism which marks most men who live in the atmosphere of great vested interests, whether academic or commercial. Then, too, the fright over a possible disruption of the British Empire has lost its exciting influence, and men of all parties see that the wheels of nature are turning around as usual, with England at least temporarily safe. Some are beginning to question whether she had really been of late in such frightful danger as government orators had described in speeches of alarming character. This reaction of feeling carries with it those beginnings of distrust which are so apt to arise when one has been led to believe and feel more strongly than his own uninfluenced judgment would naturally suggest. The government orators are not continuing the attempt to inflame stubborn resistance to Home Rule by repeating their first efforts. The angry emotions at first roused are beginning to burn out from want of fuel. Fortunately for the Gladstonians, and unfortunately for the others, the old fuel will not burn again so easily. Mr. Gladstone also has eased matters by abating something from three points which provoked much contention, and by his expressed willingness to abandon the use of the imperial credit to

carry out a scheme of land purchase, and to allow Ulster a separate treatment, as well as to retain the Irish members at Westminster, has won many who have heretofore wavered or antagonized him. To this may be added the conciliatory effect of the speeches made by Irish representatives to the constituencies holding bye-elections. When the Irish members openly proclaim at the hustings in England that they do not desire political separation, but only home control of purely Irish matters, and a generous settlement by England of the terrible land trouble, it must be conceded that, in appearance at least, an approach is being made toward a better mutual understanding.

BOOKS RECEIVED,

Of which there may be critical notice hereafter.

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